

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. 937/92.

Dt. of Decision : 10.6.94.

Mr. D. Algesh

.. Applicant.

Vs

1. The Asst. Engineer,  
Cable Construction,  
H.No.1-1-477/1/2,  
Near Balaji Talkies,  
Hyderabad-500 380,
2. The Asst. Engineer(Arbitration),  
O/o GM, Hyderabad Telecom Dist.,  
Hyderabad- 500 004.
3. The Divisional Engineer,  
Cable Construction, HTD,  
Hyderabad - 500 004..
4. The General Manager,  
Hyderabad Telecom Distt.,  
Hyderabad - 500 033
5. The Chairman,  
Telecom Commission  
(representing Union of India),  
New Delhi - 110 001.

.. Respondents.

Counsel for the Applicant : Mr. C.Suryanarayana

Counsel for the Respondents : Mr. N.V.Raghava Reddy,  
Addl. CGSC.

CORAM:

THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY : MEMBER (JUDL.)

22

- 2 -

DA 937/92.

Dt. of Order:10-6-94.

(ORDERS PASSED BY HON'BLE SHRI A.B.GORTHI, MEMBER (A) ).

\* \* \*

The applicant states that he was initially engaged as a Casual Mazdoor (No.4507) and worked continuously from 1-12-84 to 31-3-91. Thereafter he fell sick and remained absent for about 7 months. He reported back <sup>for</sup> to duty to the Respondent No.1 on 1-11-91 but he was not re-engaged as a Casual Mazdoor on the ground that the br<sup>e</sup>ak<sup>e</sup> in service was more than six months.

2. The fact that the applicant worked from 1-12-84 to 31-3-91 has not been denied in the counter affidavit. The Respondents mainly contended that as there was a br<sup>e</sup>ak<sup>e</sup> in service the applicant was asked to obtain condonation of the br<sup>e</sup>ak<sup>e</sup> from the D.E.(CC), Hyderabad, but the applicant did not do so. The Respondents further stated that the representation said to have been made by the applicant on 31-7-92 was not in fact received in the office.

3. There is no dispute that the applicant worked from 1984 to 1991 with the Respondents. In view of this undisputed position this O.A. is disposed of with the following directions to the Respondents :-

(a) the name of the applicant shall be entered in the live Casual Labour Register;

.....3.

2nd P.  
1

Copy to:-

1. The Assistant Engineer,  
Cable Construction,  
1-1-477/1/2, Near Balaji Talkies,  
Hyderabad - 500 380.
2. The Assistant Engineer(Arbitration),  
O/O GM. Hyderabad Telecom District,  
Hyderabad - 500 004.
3. The Divisional Engineer,  
Cable Construction, HTD,  
Hyderabad - 500 004.
4. The General Manager,  
Hyderabad Telecom District,  
Hyderabad - 500 033.
5. The Chairman,  
Telecom Commission,  
Union of India,  
New Delhi - 110 001.
6. One copy to Mr.C.Suryanarayana, Advocate, CAT, Hyderabad.
7. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC,CAT,Hyderabad.
8. One copy to Library, CAT, Hyderabad.
9. One spare copy.

YLKR

*With Receipt  
20/7/71*

(23)

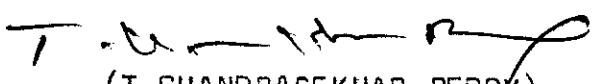
- 3 -

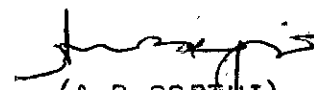
(b) the applicant will be re-engaged as and when there is work in preference to freshers/juniors;

(c) the applicant may make a fresh representation for condonation of break in his engagement and the same may be considered by the competent authority in accordance with the extant rules;

(d) as the applicant had already been granted temporary status during his previous spells of engagement he may be considered for regularisation in accordance with the scheme prepared for regularisation.

4. O.A. is ordered accordingly. No order as to costs.

  
(T. CHANDRASEKHAR REDDY)  
Member (J)

  
(A.B. GORTHI)  
Member (A)

Dt. 10th June, 1994.  
Dictated in Open Court.

1/



DEPUTY REGISTRAR(J)

contd... 4/-

3rd P.  
2

TEMPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. G. RTHI : MEMBER(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY,  
MEMBER(CUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 10-6-1994.

ORDER/JUDGMENT:

M.A./R.A/C.A. No.

in

O.A.No.

937/92

T.A.No.

(W.P.)

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to

pvm

