

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
HYDERABAD

OA 948/92

Date of judgement: 4-3-93.

Between

Shri C. Andraiah : Applicant

And

1. Sub-divisional Officer,
Telecom., Gadwal-509 125
 2. The Asst. Engineer, Telecom.,
Groups, Wanaparthi-509 103.
 3. The Telecom., District Engineer,
Mahabubnagar-509 050.
 4. Sri G.V. Gpichandran,
GM, Telecom., Hyderabad Area.
CTO Compound, Secunderabad-500 003.
 5. The Chief General Manager,
Telecom., A.P.,
Hyderabad-500 001.
 6. Sri H.P. Wagle,
Chairman, Telecom Commission,
(representing Union of India)
New Delhi-110 001.
- : Respondents


COUNSEL FOR THE APPLICANT : Shri C. Suryanarayana

COUNSEL FOR THE RESPONDENTS : Shri M. Keshava Rao.

CORAM

Hon'ble Justice Shri V. Neeladri Rao, Vice-Chairman

Hon'ble Shri R. Balasubramanian, Member (Admn.)

(Judgement of the divn. bench dictated by 
Justice Shri V. Neeladri Rao, Vice-Chairman).

Heard Shri C. Suryanarayana, learned counsel
for the applicant and Shri M. Keshava Rao, learned
counsel for the respondents.

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The applicant filed OA 399/90 praying for a direction to the respondents to reinstate him into service with full back wages from 1-11-89 by alleging that he was initially recruited on 15-7-86 and that his termination is illegal. That OA was considered along with OA 336/88 and others and by judgement dated 27-3-91 it was directed as follows:-

"The respondents are also directed to re-engage the applicants in accordance with their seniority subject to the availability of work and also to extend such other benefits as per DG's letters issued from time to time taking into consideration, the judgements of the Supreme Court after preparing the seniority list confirmment of temporary status as per the above circular".

Respondent 1 issued proceedings dated 1-10-92 informing the applicant that the recruitment was in contravention of the letters of D.G., Telecom. referred to therein and hence he was given one month's notice for his termination. The same is assailed in this OA.

Respondent 5 herein (General Manager, Telecom.), Hyderabad issued proceedings dated 22-2-93 and the relevant portion of the same is as under:-

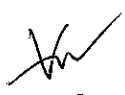
1. "All the casual mazdoors who are recruited after 31-3-85 and continuing should not be retrenched. Those removed should be taken back.

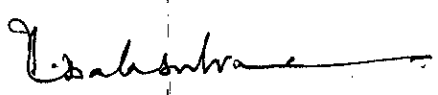
2. All the casual mazdoors who gained entry into the department with bogus certificates should be removed after following due prescribed procedure."

Even though the applicant herein was recruited after 31-3-85, as he is still continuing in service, he should not be removed as per the above proceedings

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dated 22-2-93. Hence the impugned proceedings dated 1-10-92 are set aside. The OA is ordered accordingly with no costs.


(V. Neeladri Rao)
Vice-Chairman


(R. Balasubramanian)
Member (Admn.)

(Dictated in the open court)

Dated 4th March, 1993.

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7493
Deputy Registrar (D)

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To

1. The Sub Divisional Officer,
Telecom., Gadwal-509 125.
2. The Asst.Engineer, Telecom, Groups,
Wanaparthy-509 103.
3. The Telecom, District Engineer, Mahabubnagar-050.
4. Sri G.V.Gopichandran, G.M., Telecom,
Hyderabad Area, CTO Compound, Secunderabad-3.
5. The Chief General Manager, Telecom, A.P.Hyderabad-1.
6. Sri H.P.Wagle, Chairman, Telecom Commission,
Union of India, New Delhi-1.
7. One copy to Mr.C.Suryanarayana, Advocate, CA T.Hyd
8. One copy to Mr.M.Kesava Rao, Addl.CGSC.CAT.Hyd.
9. One spare copy.

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203/3 O.A. 948/92

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CHECKED BY
HYDERABAD BENCH
HYDERABAD

COMPARED BY
APPROVED BY
(+ CP 69/10
AD 399/10)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR. V. Neeladri Reddy V.C.
AND
THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)
AND
THE HON'BLE MR. T. CHANDRASEKHAR REDDY: M(J)
AND
THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 4/3/1992

ORDER/JUDGMENT:

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

O.A. No. in 948/92

T.A. No. (W.P. No.)

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as with drawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

pvm.

Central Administrative Tribunal
DESPATCH
15 APR 1993
HYDERABAD BENCH