

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.530/92

Date of Order: 31.1.95

(28)

BETWEEN :

Mohd. Shabbeer

.. Applicant.

A N D

1. Union of India, rep. by its General Manager, Telecommunications, New Delhi.
2. The Chief General Manager, Telecommunications, A.P.Circle, Triveni Complex, Hyderabad.
3. Telecom District Engineer, Mahabubnagar.
4. Deputy Telecom District Engineer, Mahabubnagar - 509 050.
5. Sub-Divisional Officer, Telecommunications, Mahabubnagar.

.. Respondents.

Counsel for the Applicant

.. Mr.V.Jogayya Sharma

Counsel for the Respondents

.. Mr.N.V.Ramana

CORAM:

HON'BLE SHRI A.V.HARIDASAN : MEMBER (JUDL.)

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

O.A.No.530/92

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X As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

The applicant states that he was initially engaged as a casual mazdoor under the Sub Divisional Officer Telecom, Mahaboobnagar on 1.2.80. He worked as such till 1986 with some intermittent breaks. He became sick and could not attend duty after 31.7.86. When he became medically fit in 1992 he sought re-engagement but was not given. His prayer in this OA is for a direction to the respondents to quash letter dated 30.5.92 issued by the Telecom District Engineer, Mahaboobnagar rejecting his request for re-engagement and to direct the respondents to re-engage him and give him consequential benefits.

2. The respondents in their reply affidavit ^{have} ~~had~~ given the details of number of days of work rendered by the applicant during 1980-86. It is seen there-from that the applicant had worked for more than 240 days in 1982-83, 84-85 and 85-86.

3. We have heard learned counsel for both the parties. The applicant was out of engagement eversince 1986. However, keeping in view the number of days of work rendered by him as admitted by the respondents in their counter affidavit this OA is disposed of with the following directions to the respondents:-

(1) The applicant will be considered for re-engagement as soon as there is work in preference to freshers and those who rendered lesser number of days of service as casual mazdoor. For this purpose no

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casual labour who is presently engaged
will be dis-engaged.

(2) The case of the applicant for grant of temporary status and the subsequent regularisation will be considered in accordance with the extant instructions.

(3) The applicant shall not be entitled to claim condonation of break in service for the period from 1986 to the date of his re-engagement.

The O.A. is ordered accordingly without any order as to costs.

for signature
(A.B.GORTI)
Member (Admn.)

A.V.HARIDASAN
(A.V.HARIDASAN)
Member (Judl.)

Dated: 31st January, 1995

(Dictated in Open Court)

Amulya
Deputy Registrar (Judl.)

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Copy to:-

1. General Manager, Telecommunications, Union of India, New De
2. The Chief General Manager, Telecommunications, A.P.Circle,
Trivani Complex, Hyderabad.
3. Telecom District Engineer, Mahabubnagar.
4. Deputy Telecom District Engineer, Mahabubnagar-050.
5. Sub Divisional Officer, Telecommunications, Mahabubnagar.
6. One copy to Sri. V.Jogayya Sharma, advocate, CAT, Hyd.
7. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-