

39

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.777/92

Date of Order: 2.12.94

BETWEEN:

N.Srinivasulu

.. Applicant

AN D

1. The Sub Divisional Officer,
Telecom, Guntakal-515801.
2. The Telecom District Manager,
Anantapur - 515050
3. Sri G.V.Gopichandran,
General Manager, Telecom
Hyderabad Area, CTO Compound,
Secunderabad - 500 003.
4. The Chief General Manager,
Telecom, AP, Hyderabad - 1.
5. Sri H.P.Wagle,
Director General, Telecom,
(representing Union of India),
New Delhi - 110 001. .. Respondents.

Counsel for the applicant

.. Mr.C.Suryanarayana

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

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

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

60

.. 2 ..

O.A.No.777/92

Date of Order: 2.12.94

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

The applicant was initially engaged as a casual mazdoor under the respondents some time in November, 1984. He worked ^{for} 49 days in 1984, 4 days in 1985, 140 days in 1986 and for 65 days upto March 1987. Further, from April 1987 to December 1987 he worked for 245 days and thereafter he worked continuously during 1988, 1989 and 1990. W.e.f. 1.12.1990 he was brought on muster roll as full time casual labour and he continued to work without any break till March 1992. Vide memo dated 18.8.1992 the engagement of the applicant was proposed to be discontinued after expiry of 30 days from the date of notice.

2. At the time of admission of this OA an interim order was issued directing the respondents not to operate the impugned order dated 18.8.1992. Consequently the applicant continues to be engaged as a casual mazdoor under the respondents. The respondents in their reply affidavit have not disputed the facts averred in the OA but have merely clarified that casual mazdoors engaged prior to 31.3.1985 were given priority for being engaged and as there was no work for the casual mazdoors who were engaged subsequently the applicant was served with a notice.

3. The respondents admit that the applicant was initially engaged in November 1984. There is thus no justification for the proposed action of the respondents to disengage the applicant. In view of this, O.A. is ordered with the following directions to the respondents:-

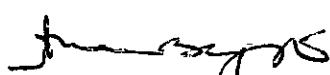
L

41

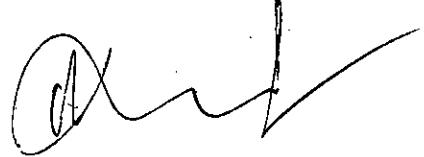
.. 3 ..

- 1) The applicant shall be continued as a full time casual mazdoor so long there is work.
- 2) If the retrenchment of the applicant becomes necessary it can be done only in accordance with the extant instructions and the principle of last come first go.
- 3) The case of the applicant for grant of temporary status/regularisation shall be considered by the respondents in accordance with the extant scheme.

No order as to costs.



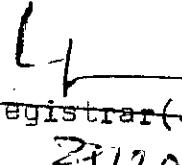
(A.B.GORTHI)
Member (Admn.)



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

Dated: 2nd December, 1994

(Dictated in Open Court)


By. Registrar (Judl.)

2712P9

sd

Copy to:-

1. The Sub Divisional Officer, Telecom, Guntakal-001.
2. The Telecom District Manager, Anantapur-050.
3. Sri. G.V.Gopichandran, General Manager, Telecom Hyderabad Area, CT0 compound, Secunderabad-003.
4. The Chief General Manager, Telecom, A.P.Hyd-1.
5. Sri. H.P.Jagle, Director General, Telecom, (representing Union of India), New Delhi-001.
6. One copy to Sri. C.Suryanarayana, advocate, CAT, Hyd.
7. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One copy to...

Rsm/-

DA-777/9s

Typed by
Checked by

Computed by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN : MEMBER (J)

AND

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

DATED:

ORDER/JUDGMENT.

~~M.A/R.C/C.P.No.~~

O.A. NO.

T. A. NO.

Admitted and Interim Directions issued.

All quod.

~~Disposed of with Direction.~~

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered

~~No order as to costs.~~

NO SPARE COPY

Central Administrative Tribunal
DESPATCH
- 3 DECEMBER 1994
HYDERABAD BENCH

YUKR