

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD

DA 754/93.

Dt. of Order:18-2-94.

A.Hanumandlu

...Applicant

Vs.

1. The Chief General Manager,  
Telecom, AP Circle, Triveni Complex,  
Hyd-1.
2. The Telecom District Engineer,  
Dept., of Telecommunications,  
Karimnagar-505 001.
3. The Sub-Divisional Officer, Telecom,  
Dept., of Telecommunications,  
Jagtial, Karimnagar District-505 327.

...Respondents

Counsel for the Applicant : Shri P.Naveen Rao

Counsel for the Respondents : Shri N.V.Ramana, Addl.CGSC

CORAM:

THE HON'BLE SHRI T.CHANDRASEKHAR REDDY : MEMBER (J)

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

....2.

ORDER

Ø As per Hon'ble Shri T.Chandrasekhara Reddy Member (Judl.)

This is an application filed under section 19 of the Administrative Tribunals Act to direct the respondents to consider the applicant for regularisation of ~~the~~ services, taking into consideration ~~the~~ initial entry to the department with effect from 1.8.1980.

2. The facts so far necessary to adjudicate this OA in brief are as follows:-

3. The respondents in this OA belong to the Telecommunication Department. The applicant was engaged as Casual Mazdoor with effect from 1.8.1981. According to the applicant he continuously worked till 31.10.82 for a total period of 408 days. Then the applicant absented himself from 31.10.82. The applicant was again engaged as a fresher with effect from May 1988. It is the case of the applicant that he has got at a right to be considered for regularisation with effect from 1.8.1981 which is the date of his initial entry into the service.

4. Counter is filed by the respondents opposing this OA.

5. We have heard Mr. Naveen Rao counsel for the applicant and standing counsel for the respondents.

(21)

6. It is not in dispute that the applicant had been initially engaged with effect from 1.8.1981 and had continuously worked till 31.5.81. Admittedly the applicant had absented himself with effect from 1.6.82 onwards upto the end of the April 1988. Admittedly the applicant had been engaged as a fresher with effect from May 1988 onwards. The long absence of the applicant from 1.6.1982 onwards upto the end of April 1988 has not been explained by the applicant. In view of the long absence of the applicant, we are not prepared to give to the applicant the benefit of service which he has rendered as Casual Mazdoor from 1.8.1981 to 31.5.1982. Hence the prayer of the applicant for regularisation of service with effect from 1.8.1981 is liable to be rejected and is accordingly rejected.

7. Even though the prayer of the applicant is rejected for regularisation with effect from 1.8.81, appropriate directions are liable to be given to respondents with regard to the regularisation of the services of the applicant.

8. It is not in dispute from month of 1988 onwards the applicant had been engaged as a fresher. Mr. Naveen Rao counsel for the applicant's submitted before us that the applicant from the month of May 1988 is continuously working and now also he is continuing in service. But in the counter of the respondents it is

T - C - M

To

1. The Chief General Manager,  
Telecom, A.P.Circle, Triveni Complex,  
Hyderabad-1.
2. The Telecom District Engineer,  
Dept.of Telecommunications, Karimnagar-1.
3. The Sub-Divisional Officer, Telecom,  
Dept.of Telecommunications, Jagtial,  
Karimnagar Dist-327.
4. One copy to Mr.P.Naveen Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd.
6. One copy to Library CAT.Hyd.
7. One spare copy.

pvm

*STH*  
*28/9/30/94*

(92)

pleaded that the applicant is not continued as Casual Mazdoor as there is no work. So in view of the contention of the rival parties, it would be fit and proper to dispose of this OA by giving appropriate directions to meet the ends of justice and to protect the interests of both the sides.

1) The respondents are hereby directed to continue the applicant if he is working as on today, provided, there is work. For any reasons the applicant's services are liable to be terminated, for want of work, the said termination shall be on the principle of LAST COME FIRST GO.

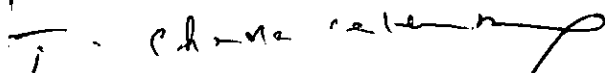
2) If the applicant cannot be continued as contended by the respondents as there is no work, the respondents are directed to re-engage the applicant as and when there is work and in preference to his juniors.

3) The respondents shall consider conferment of temporary status on the applicant and regulation of the services of the applicant in accordance with rules and regulations taking into consideration the period of service he had put in with effect from May 1988 onwards.

9. OA. is allowed accordingly. No costs.



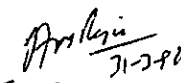
(R. RANGARAJAN)  
MEMBER (ADMN.)



(T. CHANDRASEKHARA REDDY)  
MEMBER (JUDL.)

Dated : The 18th February 1994.  
(Dictated in Open Court)

spr

  
Deputy Registrar (J)

TYPED 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. GORTHY : MEMBER (A)

AND

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

AND

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

Dated: 18-2-1994.

~~ORDER~~ JUDGMENT:

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

in

O.A.No.

754/93.

T.A.No.

(W.P.No. )

Admitted and Interim Directions  
issued.

Allowed.

Disposed of with directions.

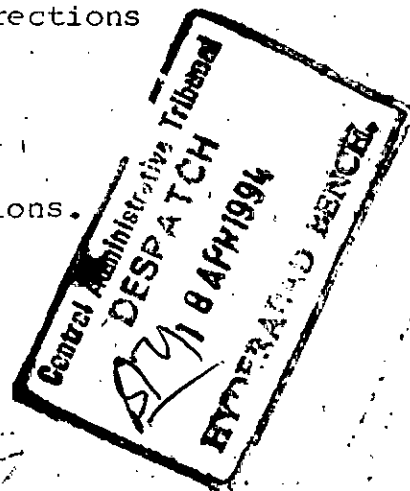
Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.



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NO order as to costs.

18/2/94