

42

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 1130/93.

Dt.of Decision : 6.12.94.

K. Raj Kumar

.. Applicant.

Vs

1. Union of India rep. by
its Secretary to Govt. of
India, Ministry of Steel & Mines,
Department of Mines,
New Delhi.
2. The Director General,
Geological Survey of India,
27, Jawaharlal Nehru Road,
Calcutta - 700 016.
3. The Deputy Director General,
Geological Survey of India,
Bandlaguda, P&T Colony Br.P.O.,
Hyderabad-500 660.

.. Respondents.

Counsel for the Applicant : Mr. V.Venkateswar Rao

Counsel for the Respondents : Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

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

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

O.A. 1130/93.

Dt. of Decision : 6.12.94.

ORDER

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

The applicant who had worked for certain number of periods as a Casual Mazdoor under the Deputy Director General, Geological Survey of India, Hyderabad claims by means of this application a direction to the respondents to absorb him in any suitable Group 'D' post on the basis of his seniority as a Casual Mazdoor, with all consequential benefits.

2. The applicant has stated that he was initially taken as a casual labourer on daily wage with effect from 3.1.1983 and ever since he worked for various spells till 31.12.1989 as per details shown in Annexure A-1 to the application. Thereafter he was again engaged for a few days in 1993.

3. The respondents in their reply affidavit have stated that when the G.S.I. office shifted from Hyderabad City to a place called Bandlaguda on the outskirts of Hyderabad, several casual mazdoors have on their own stopped reporting for work and that the applicant was one of them. As regards engagement of the applicant in the year 1993, the contention of the respondents is that he was taken for a particular job for a few days on a contract basis ^{for} in which he was paid ^a lumpsum amount of Rs. 80/-.

4. In this application we are not examining the validity of or otherwise of the disengagement of the applicant as a casual labour. The fact however remains that the applicant had worked for various spells as a casual mazdoor under the respondents during the period


1983 - 1989. In view of this, we deem ^{it} just and proper to dispose of this OA with the following directions to the respondents.

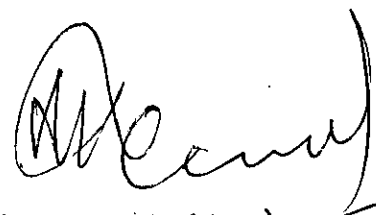
(1) The respondents shall consider ~~the~~ re-engaging ~~of~~ the applicant as and when there is necessity to engage casual labour and in doing so the applicant shall be given preference over freshers/juniors.

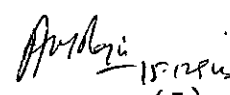
(2) The question of granting ^{him} temporary status and his regularisation will be considered in accordance with the extant scheme/instructions.

(3) For the purpose of re-engaging the applicant as a casual mazdoor, the respondents need not retrench any casual labour, if any, who is presently engaged.

5. OA is ordered accordingly. No order as to costs.


(A.B. CORGHI)
MEMBER (ADMN.)


(A.V. HARIDASAN)
MEMBER (JUDL.)


Dy. Registrar(J)

Dated : The 6th December 1994.
(Dictated in Open Court)

Copy to:-

1. Secretary to Govt. of India, Ministry of Steel & Mines, Dept. of Mines, Union of India, New Delhi.
2. The Director General, Geological Survey of India, 27, Jawaharlal Nehru road, Calcutta-016.
3. The Deputy Director General Geological Survey of India, Bandlaguda, P&T colony, Br. PO, Hyd-660.
4. One copy to Sri. V.Venkateswara Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

RSM/-

207-1136745

Typed by
Checked by

Computed by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN : MEMBER(3)

AND

THE HON'BLE MR.A.S.GORTHY : MEMBER(4)

DATED: 6/12/94

~~ORDER/JUDGMENT.~~

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

O.A.NO.

in
1136743

~~T.A.NO.~~

~~Admitted and Interim Directions
issued.~~

~~Allowed.~~

~~Disposed of with Direction.~~

~~Dismissed.~~

~~Dismissed as withdrawn~~

~~Dismissed for default~~

~~Rejected/Ordered~~

~~No order as to costs.~~

no spare copy

