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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1154 of 1993

DATE OF JUDGMENT:28th September,1993

BETWEEN:

Mr. M.Kishtaiah

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Applicant

AND

1. The Sub Divisional Officer-Phones,
Nizamabad.
2. The Telecom District Engineer,
Nizamabad.
3. The Chief General Manager,
Telecommunications, Door Sanchar Bhavan,
Hyderabad.

..

Respondents

HEARD:

COUNSEL FOR THE APPLICANT: Mr. K.Venkateswara Rao, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. V.Bhimanna, Addl. CGSC

JUDGMENT

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

The applicant pleads that he was first engaged as casual mazdoor in the Telecom District, Nizamabad on 2.1.1984 and he worked from that date till 31.1.1985 and again from 1.1.1987 to 8.8.1988 and later he was not engaged.

2. This OA was filed praying for a declaration that the applicant is entitled for reengagement as casual mazdoor in terms of the instructions issued vide letter No.TA/LC/1-2/III, dated 21.10.1991 and TA/RE/Rlgs/Corr., dated 22.2.93 by holding the action of the respondents in not reengaging him, as illegal, discriminatory and arbitrary.

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3. Even according to the applicant, he was not engaged for more than two years after 8.8.1988. Hence, the question of condoning the break does not arise. As such he is not entitled to claim seniority on the basis of his earlier service in two different spells.

4. In view of the plea of the applicant, it has to be stated that he gained some experience in the work in the Telecom department. So, it is in the interest of the department if he is engaged in preference to ~~the~~ a fresher whenever work is available. So, the only relief that is granted is to direct the 2nd respondent to engage the applicant as casual mazdoor in preference to fresher whenever there is work.

5. The OA is ordered accordingly at the admission stage. No costs.

P. J. L.
(P.T.THIRUVENGADAM)
MEMBER (ADMN.)


(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 28th September, 1993.

vsn


Deputy Registrar (J)

To

1. The Sub Divisional Officer-Phones,
Nizamabad.

2. The Telecom Dist. Engineer, Nizamabad.

Deo Saichan Chawan

3. The Chief General Manager, Telecommunications, Hyderabad.

4. One copy to Mr. K. Venkateswara Rao, Advocate, CAT. Hyd.

5. One copy to Mr. V. Bhimanna, Addl. CGSC. CAT. Hyd.

6. One copy to Library, CAT. Hyd.

7. One spare copy.

pvm

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P.T.C.
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9.2/93

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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. GORTHI : MEMBER (A)

AND

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

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M (A)

Dated: 28-9 -1993

~~ORDER~~/JULGMENT:

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

in

O.A.No. 1154/93.

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

Admitted and Interim directions
issued

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm

