

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.776/94

Date of Order : 27.3.97

BETWEEN :

S.Musthafah Saheb

.. Applicant.

AND

1. Sub-Divisional Officer,
Telecom, Madanapalle.
2. Asst. Engineer, Dept. of Telecom,
Alipiri Road, Tirupathi.
3. Telecom District Manager,
Tirupati.
4. G.M.Telecommunications,
Hyderabad Area at
Secunderabad.
5. Union of India, rep. by
Dept. of Telecom,
Sanchar Bhavan, New Delhi-1.

.. Respondents.

Counsel for the Applicant

.. Mr.T.Lakshminarayana

Counsel for the Respondents

.. Mr.K.Bhaskara Rao.

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

J U D G E M E N T

{ Oral order as per Hon'ble Shri B.S. JAI PARAMESHWAR, M(J) }

None for the applicant. Applicant was also not present when this application was taken up. Heard Mr.W.Satyanarayana for Mr.K.Bhaskara Rao, learned counsel for the respondents.

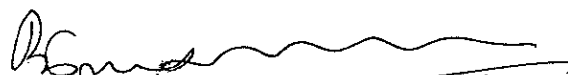
2. The applicant herein was appointed as a casual driver in the office of the Assistant Engineer (Microwave) Tirupathi from May 1987 to August 1987. He worked continuously for a period

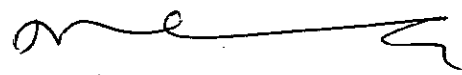
of 140 days. Subsequently he was transferred to Madanapalli where he worked from May 1985 to June 1992. While he was working the first respondent issued the memorandum No.E92/VAN DRIVER/II/38, dt. 17.7.92 (A-6) proposing to terminate his services effective from 17.8.92. He has filed this OA praying this Tribunal to direct the respondents to reinstate the applicant either as Driver ^{as} or ^a regular mazdoor with full backwages and to grant him the pay the difference of wages and other reliefs.

3. A reply has been filed that as per the instructions from the department his services were proposed to be terminated in accordance with Section 25 F of the Industrial Disputes Act since no work was available to continue him on the rolls ^{and} that this fact was informed to the applicant. Since no work was there in the department proposal to terminate his service was issued.

4. In view of the fact that the Respondent No.2 proposed to terminate the services of the applicant ^{as} there was no work. We feel it ~~is~~ proper to direct him to consider the case of the applicant whenever necessity of engaging a casual driver ^{arises} in the department ^{and} to give preference to the applicant who is an experienced candidate than the fresh entrants from the open market.

5. With these observations the OA is disposed of. No costs.

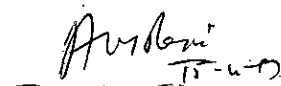

(B.S. JAI PARAMESHWAR)
Member (Judl.)
27.3.97


(R. RANGARAJAN)
Member (Admn.)

Dated: 27th March, 1997

(Dictated in Open Court)

sd


J. R. (J)

Copy to:-

1. The Sub-Divisional officer, Telecom, Madanille.
2. The Asst. Engineer, Dept. of Telecom, Ali Road, Tirupathi.
3. The Telecom District Manager, Tirupathi.
4. The Gneral Manager, Telecommunication, s Hyd. At Secunderabad.
5. The Director General, Dept. of Telecom, s Bhavan, New Delhi.
6. One copy to Mr.T.Lakshminarayana, Advocate, Calabad.
7. One copy to Mr.K.Bhaskara Rao, Addl.CGSC, Calabad.
8. One copy to D.R.(A), CAT, Hyd.
9. One duplicate copy.

10) one copy of his letter to the Minister (M) (21).

YLKR

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28/4/97

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.R. NGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:

M(J)

DATED: 27/3/97

ORDER/JUDGEMENT

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

in

O.A.No. 776/94

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

II COURT

