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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION 917/94

DATE OF ORDER : 20-6-97.

Between:-

K.Govindarajulu

.. Applicant

And

1. The Chief General Manager,
Telecom, AP Circle, Hyderabad.
2. The Director (Telegraph Traffic),
Dept. of Telecommunications,
AP Circle, Hyderabad.
3. Sr.Superintendent (TT),
Dept. of Telecommunication,
Kurnool.
4. Asst.Superintendent (TT),
Dept. Telegraph Office,
Chittoor.

.. Respondents

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Counsel for the Applicant : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri N.V.Raghava Reddy, CGSC

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CORAM:

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

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

Jai
(Order per Hon'ble Shri B.S.Parameshwar, Member (J)).

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... 2.

(Order per Hon'ble Shri BS Jai Parameshwar, Member (A)).

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Heard Sri V.Venkateshwar Rao, counsel for the applicant and Sri N.V.Raghava Reddy, standing counsel for respondents.

2. The applicant and one another S.Venkatesh Chetty were appointed as Physically handicapped Public Telephone Attendants (PHPTA) during the year 1981 on the public telephone at office of DTO, Chittoor. It is submitted that both have filed OA No.181/91 before this Bench seeking regular absorption of their services in the department and that the same was allowed on 26-9-91. It is submitted that despite directions in OA 181/91 they were terminated at the instance of Respondent No.4. Hence they have filed this OA to call for the records pertaining to the orders No.TA-T/ST/3-32/NL/94/17 dt.2-5-94 issued by respondent No.4 and the order dt.16-11-91 issued by Respondent No.4 to declare the them as illegal, arbitrary and unconstitutional and for / consequential benefits of reinstatement into service.

3. A reply has been filed stating that the applicant was terminated basing on the complaints from public against PDPT agents for the misappropriation of money. Basing on the complaints, a surprise check was made by the Asst.Suptd. (TT), Kurnool on 10-3-87 and found that the applicant is not following the departmental instructions to avoid the public complaints. The Telephone bills dt.1-6-90, 1-8-90 and 1-10-90 and telephone revenue collected by the PDPT officials noticed that nearly 10,293 calls were not accounted as per the records ~~available~~ available.

ble. As such notice dt.27-4-91 was served on the applicant and after completion of the enquiry the ASTT requested Kurnool the SSTT/to terminate the services of the applicant. The applicant submitted ^{'a'} representation dt.2-6-2-94 to the Director Telegraph Traffic, Hyderabad requesting him to permit him to join at Telegraph Office, Chittoor. It is further stated in the counter that the applicant ^{'was'} removed from service after establishing charges of misappropriation of funds and prayed that the OA may be dismissed with costs.

4. This OA is more or less on the same lines as OA 972/94 decided on 6-6-97. The contentions in this OA are also similar and there ^{'was'} also the prayer for engaging him as a fresh Telephone attendant. ~~was made~~. In view of the above, we feel that a direction similar to the one given in OA 972/94, ^{if given in this O.} it will meet the ends of justice.

5. Hence the following direction is given :-

The applicant should submit an additional dt.24-7-94 to the respondent No.1. If such a representation is received, then respondent No.1 should consider the case of the applicant taking due note of the points made in the additional reply and contentions raised in the OA and pass a reason^{-ed} order. The respondents should also consider the applicant's request for retaining him as Public Telephone Attendant as a fresh entrant.

6. The O.A. is ordered accordingly. No costs.


(B. S. JAI PARAMESHWAR)

Member (J)

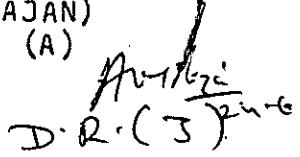
20.6.97

av1/

Dated: 20th June, 1997.
Dictated in Open Court.


(R. RANGARAJAN)

Member (A)


D. R. (3) ^{PMG}

Copy to:-

1. The Chief General Manager, Telecom, A.P.Circle, Hyd.
2. The Director(Telegraph Traffic), Dept. of Telecommunications, A.P.Circle, Hyd.
3. Sr. Superintendent(TT), Dept. of Telecommunications, Kurnool.
4. Asst. Superintendent(TT), Dept. Telegraph Office, Chittoor.
5. One copy to Sri. V.Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
7. One copy to Hon'ble Mr. B.S.Jai Parameswar, JM, CAT, Hyd.
8. One copy to Deputy Registrar(A) CAT Hyd.
9. One spare copy.

Rsm/-

~~8/7/97~~

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED:

26/6/97

ORDER/JUDGEMENT

M.A. / R.A / C.A. NO.

O.A. NO.

917/197

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLR

II Court.

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
HYDERABAD BENCH

- 4 JUL 1997

हैदराबाद आयोडी
HYDERABAD BENCH