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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

D.A. NO. 931/94. Dt. of Decision : 26-7-1994.

MANO. 540/94
MASL NO. 1785/94

Mr. G.V. Subba Rao

.. Applicant.

Vs

1. The General Manager,
Telecom., Vijayawada.
2. The Dy. General Manager,
Telecom., Vijayawada.
3. The Divisional Engineer,
Telecom., Machilipatnam.
4. The Sub-Divisional Officer,
Telecom., Machilipatnam.
5. The Jr. Telecom. Officer,
Phones, Challapalli-521 126.

.. Respondents.

Counsel for the Applicant : Mr. V. Venkateswara Rao

Counsel for the Respondents : Mr. N.R. Devanag. S. CGSC.

CORAM:

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

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

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931
O.A. No. 1783/94:

X As per Hon'ble A.V.Haridasan, Member (Judl.) X

The applicant an ex-casual labour who was disengaged w.e.f. 5.2.89 has filed this application for setting aside the order dt. 4.2.89 terminating his service ^{including} ~~unduly his name in the "black list"~~ and for a direction to re-engage him and to consider him for regularisation. The facts material for a disposal of the application at the admission stage are as follows:-

2. The applicant was first engaged as a casual mazdoor under Sub Divisional Office, Telecom, Machilipatnam w.e.f. 1.6.81. For the purpose of regularising his services as the authorities insisted on his production of a certificate in proof of age, he happened to produce a certificate from a school which ultimately turned out to be a bogus certificate. After an inquiry with which the applicant was not associated the S.D.O. passed an order on 4.2.89 black-listing the applicant rendering him ineligible for further engagement. Aggrieved by that the applicant submitted an appeal to the Telecom District Manager on 27.3.89. Finding no response from the respondents he made further representations and it is thereafter that he has filed this application praying that the order dt. 4.2.89 may be set aside with consequential benefits. It has been alleged in the application that in accordance with the

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circular issued by the D.G.Telcom it was not necessary at all to produce any certificate in proof of age that even an affidavit by the concerned employee was sufficient and that it was unkind on the part of the respondents to insist that the applicant should produce a certificate which turned out to be a false one and to completely leaving him out of consideration for re-engagement. It has been further alleged that in the case of another casual labour V.Satyanarayana Chief General Manager, Telecom had directed the General Manager to reconsider the case and that the same attitude should have been adopted in the case of the applicant as well.

2. The admission of the application is opposed by the respondents represented by Sri N.R.Devraj, Standing Counsel for the respondents.

3. We have perused the application and the documents annexed there to and we have heard at length the arguments of Sri V.Venkateswara Rao and Sri N.R.Devraj. After addressing arguments at length before the Bench was about to pass an order Sri V.Venkateswara Rao submitted that the applicant may be permitted to withdraw the application. So that he can peruse his remedies with the department. The request is granted and the application is disposed of as withdrawn. No order as

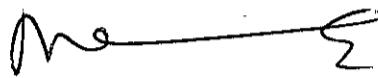
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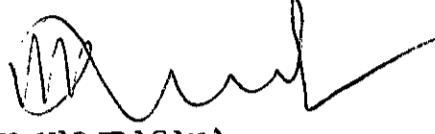
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to costs.

M.As are also disposed of in view of
the order passed in the Original Application.



(R.RANGARAJAN)
Member (Admn.)



(A.V.HARIDASAN)
Member (Jud1.)

Dated: 26th July, 1994

(Dictated in Open Court)


DEPUTY REGISTRAR(J)

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Copy to:

1. The General Manager, Telecom, Vijayawada.
2. The Dy.General Manager, Telecom, Vijayawada.
3. The Divisional Engineer, Telecom, Machilipatnam.
4. The Sub Divisional Officer, Telecom, Machilipatnam.
5. The Junior Telecom Officer, Phones, Challapalli - 521 126.
6. One copy to Mr.V.Venkateswar Rao, Advocate, CAT, Hyderabad.
7. One copy to Mr. ~~N.R. Devadas~~, CGSC, CAT, Hyderabad.
8. One copy to Library, CAT, Hyderabad.
9. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

R.Ranganathan.

THE HON'BLE MR.A.B.GORTHI : MEMBER(A) ✓

Dated: 26.7.94

ORDER/JUDGMENT. ✓

M.R./R.P./C.P.NO.

C.A.NO. 931/94 ✓
^{IT}

T.A.NO. ~~540~~ ⁵⁴⁰ (W.P.NO. ~~540~~)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with directions. *intend to administer* *let*

Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs. ✓

