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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. No. 993/94.

Dt. of Decision : 16-8-94.

Mr. B. Kisham

.. Applicant.

Vs

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

.. Respondents.

Counsel for the Applicant : Mr. K. Venkateswara Rao

Counsel for the Respondents : Mr. N.V. Ramana, Addl. CGSC.

CORAM:

The Hon'ble Shri Justice V. Neeladri Rao ; Vice Chairman

The Hon'ble Shri R. Rangarajan : Member (Admn.)

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O.A.NO. 993/94.

JUDGMENT

Dt: 16.8.94

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

Heard Shri K.Venkateswara Rao, learned counsel for the applicant and Shri N.V.Ramana, learned standing counsel for the respondents.

2. This OA was filed praying for a declaration that the applicant is entitled to reengagement as Casual Mazdoor under the control of the Telecom District Engineer, Nizamabad in terms of various instructions issued by the Director General, Telecom including the instructions dated 21.10.1991 and 22.2.1993 by holding that the action of the respondents in not reengaging the applicant is illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution.

3. The applicant alleged that he was first engaged on 15.2.1988 as casual labourer and he was disengaged after 31.7.1989 and in-between there were some artificial breaks in service.

4. On the basis of the facts alleged, the only direction that can be given is as under:-

The applicant has to be engaged by the respondents if there is work in the concerned division ie., his Nizamabad division and if/juniors are being continued.

X

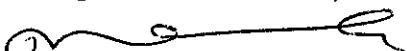
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.. 3 ..

It means that the applicant has to be preferred to fresh recruits if there is going to be fresh recruitment of casual labourers. It has to be made clear that for implementation of this order, no one should be retrenched.

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


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

Dated: 16th August, 1994.
Dictated in open court.


Deputy Registrar (J) CC
18894

vsn

To

1. The Sub Divisional Officer, Phones, Nizamabad.
2. The Telecom District Engineer, Nizamabad.
3. The Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr. K. Venkateswara Rao, Advocate, CAT.Hyd.
5. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm

Subjent 13/8/94

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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.K.RANGARAJAN M(ADN)

DATED: 16 - 8 - 1994

ORDER/JUDGMENT

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

in

O.A.No. 993/94

(T.A.No.

(W.P.NO)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions of ~~by~~
Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

pvm

