

(R8)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. 1184/94.

Dt.of Decision : 23-9-94.

Applicant.

Vs

1. The Sub Divisional Officer,
Telecommunications, Kamareddy,
Nizamabad District.
2. The Telecom District Engineer,
Nizamabad.
3. The Chief General Manager,
Telecommunication, Doosanchar
Bhawan Hyderabad.

.. Respondents.

Counsel for the Applicant : Mr. K. Venkateswara Rao

Counsel for the Respondents : Mr. N.R. Devaraj, Sr.CGSC.

CORAM:

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

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

ORDER

(As per Hon'ble Shri A.B. Gorthi, Member (Admn.))

The prayer of the applicant is for a direction to the respondents to re-engage him as a Casual Mazdoor and to consider his case for regularisation against a Group 'D' post.

2. The applicant was initially engaged as a Casual Mazdoor under SDO, Telecom, Kamareddy on 1-3-1985 and he continued to work as such, till 31-8-89 with usual artificial breaks. Thereafter he was not given any work.

3. Heard learned counsel for both the parties.

Mm. K. Venkateswara Rao, learned counsel for the applicant has drawn our attention --

-- to this Tribunal in OA 993/94, wherein certain benefits were given to the applicant therein who ^{was} ~~were~~ similarly situated as the

applicant before us. Mr. N.R. Devaraj, learned standing counsel for the respondents states that there would be no objection if similar directions are passed in this case also at the admission stage itself. He, however, requests for a clarification in the judgement that the applicant

-- considered for re-engagement in preference those who have rendered lesser number --

31-8-1989 (last date of engagement of the applicant) and that on account of our order no casual labour who is presently engaged should be made to be retrenched. We find that the request made by the learned counsel for the applicant is fair and in fact that was the position which we have been taking, consisting in our judgement. Accordingly this OA is also allowed with the following directions to the respondents.

1. The respondents shall consider re-engagement of the applicant in case there is work and in preference to freshers and those who rendered lesser number of days of service as Casual Labour as on the last date of the engagement of the applicant.

2. The name of the applicant will be entered in the Live Casual Labour Register in an appropriate place keeping in view the number of days of service rendered by him.

3. His case will be considered for grant of temporary status and subsequent regularisation in accordance with his seniority and the extant scheme/instructions.

4. We make it clear that for implementation of this order no casual labour presently working need be retrenched.

4. No order as to costs.

thusays
(A.B. GORITHI)

MEMBER (ADMN.)

(A.V. HARIDASAN)
(A.V. HARIDASAN)
MEMBER (JUDL.)

Dated : The 23rd Sept. 1994.
Dictated in Open Court.

Amala Seppu
DEPUTY REGISTRAR (JUDL.)

spr.

Copy to :

1. The Sub Divisional Officer, Telecommunications, Kamareddy, Nizamabad District.
2. The Telecom District Engineer, Nizamabad.
3. The Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswara Rao, Advocate .
5. One copy to Mr.N.R.Devraj, Standing Counsel for the respondents.
7. One spare copy.

Typed by

Checked by

Compared by

Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

Dated: 23.9.94

ORDER/JUDGMENT.

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

in
D.A.NO. 1184/94

T.A.NO.

(W.P.NO.)

~~Admitted and Interim Directions~~
Issued.

Allowed. ✓

Disposed of with Directions.

Dismissed.

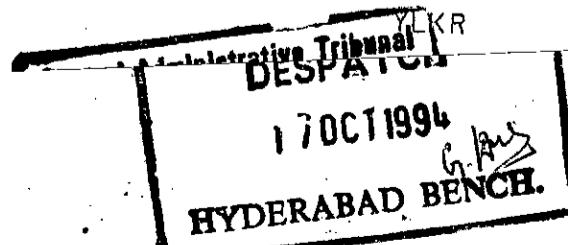
Dismissed as withdrawn.

Dismissed for Default.

Rejected /Ordered.

No order as to costs.

NO SPARES CPW



JK