

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1011/94

Date of Order: 21-11-94

Between:

Uma Shankar

..Applicant

And:

1. Sub Divisional Officer,
Telecom, Rajam, Srikakulam District.

2. The Divisional Engineer,
Telecom, Srikakulam.

3. The Chief General Manager, Telecom,
A.P., Circle, Hyderabad

.. Respondents.

- - -

Counsel for the Applicant

..Mr.M.Kesava Rao.

Counsel for the Respondents

..Mr.N.R.Devraj.

- - -

C O R A M:

Hon'ble Shri A.V. HARIDASAN : MEMBER (JUDL)

Hon'ble Shri A.B. GORTHY : MEMBER (ADMN)

- - -

O.A.No.1011/94

Date of Order: 21-11-1994

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

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We have heard both the parties and perused the records

2. In this application has filed on 11-7-94, the applicant who claims to have rendered casual service from 1-2-1984 to 1-5-84 has prayed that the respondents may be directed to

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reinstate the applicant as casual mazdoor with full back wages and all other consequential benefits. It is averred in the application that in the month of August, 1990 the Second Respondent asked the first Respondent to furnish the list of mazdoors who were retrenched and that the applicant's name was also mentioned by the first respondent as one of the casual mazdoors who was retrenched. The applicant's grievance is that inspite of that the applicant has not been reinstated in service and hence, this application.

2. When the application came up for hearing on admission the counsel for the applicant submitted that the applicant was infact worked from 1-2-84 to 31-5-84 and not 1-5-85 and that the statement in the application to the contrary occurred by mistake. Having gone through the application and having heard the counsel for the parties we are of the view that the applicant does not have any subsisting relevance to be redressed. If the applicant was disengaged in the year 1984 against law and despite requirement of casual labour he should have taken recourse to a proper remedy at the appropriate time. For a decade, the applicant did not think of taking recourse to any such remedies, and it is after a period of ten years that he has come up with an application making a statement that according to his information, the first respondent mentioned the name of the applicant also as one of the casual labourer who was retrenched. Even if the averment is to be, true, that does not give him a cause of action to file this application in 1994, against his alleged wrongful termination of service made in 1984.

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3. Seeing no subsisting grievance of the applicant, we do not deem it necessary to admit the application and the same is rejected under Section 19(1) of the Administrative Tribunals Act.

To

1. The Sub Divisional Officer, Telecom, Rajam, Srikakulam District.
2. The Divisional Engineer, Telecom Srikakulam.
3. The Chief General Manager, Telecom, A.P. Circle, Hyderabad.
4. One copy to Mr. M.Kesava Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

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M E D I C A L C E R T I F I C A T E

This is to certify that Mr. L.Uma Shankara Rao
S/o Ramammurthy, has been suffering from Jaundice from
3-3-1995 to 1-4-1995. He was advised complete rest and
treatment for the above Period.

Sd/XXXXX XXXXX
L.Uma Shankara Rao,
Signature of the Candidate.

Sdx x x x x x

Date: 23-5-1995

Medical Officer,

30 Beded Govt Hospital,
PONDURU,

Srikakulam District.

// True Copy //

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Review Petn.

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL HYDERABAD BENCH : AT
HYDERABAD

R.P.NO. OF 1995

in

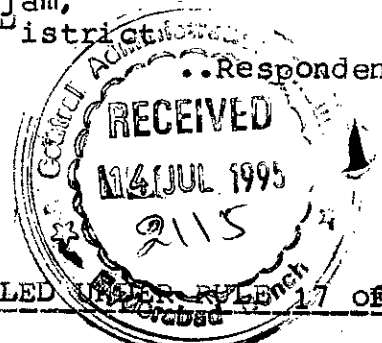
O.A.No. 110 1011 of 1994

Between:

L.Uma Shankara Rao.. Applicant

And:

Sub Divisional Officer,
Telecom, Rajam,
Srikakulam District
and Others. .. Respondents



PETITION FILED UNDER RULE 17 OF
CENTRAL ADMINISTRATIVE TRIBUNAL
(PROCEDURE) RULES, 1987

Recd
14-7-95
N.R. Dery
tr

Filed For: Applicant

Represented on: 8-7-1995

Filed by: : Sri.M.Kesava Rao,
Counsel for the
Applicant.

Recd
14-7-95
N.R. Dery
tr