

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1011/94

Date of Order: 21-11-94

BETWEEN:

L.Uma Shankar

.. Applicant.

A N D

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

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

CORAM:

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

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

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

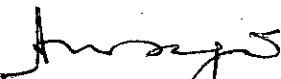
We have heard both the parties and perused the records.

2. In this application has filed on 11.7.94, the applicant who claims to have rendered casual service from 1.2.84 to 1.5.84 has prayed that the respondents may be directed to reinstate the applicant as casual mazdoor with full backwages 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 in fact worked from 1.2.84 to 31.5.84 and not upto 1.5.84 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 grievance 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 such 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.

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(3) of the Administrative Tribunals Act.


(A.B. GORTHI)

Member (Admn)


(A.V. HARIDASAN)

Member (Judl.)

Dated: The 21st November, 1994

(Dictated in the Open Court)

sd


DEPUTY REGISTRAR (J)

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.

YLKR

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Checked by

Computed by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIKANAN : MEMBER(3)

AND
THE HON'BLE MR.A.B.GORTHI : MEMBER(5)

DATED: 21.11.94

ORDER/JUDGMENT.

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

in
O.A.NO. 1011/94
T.A.NO.

Admitted and Interim Directions
issued.

Allowed.

Disposed of with Direction.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered *not to administer*

No order as to costs.

