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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1392/94

Date of Order: 29.11.94

BETWEEN :

M.Bal Ram .. Applicant.

A N D

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

Counsel for the Applicant .. Mr. K.Venkateswara Rao

Counsel for the Respondents .. Mr. N.R.Devraj.

CORAM:

HON'BLE SHRI JUSTICE V.NEEILAKI RAO : MEMBER

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

O.A.No.1392/94.

Date: 28.11.94

JUDGMENT

I as per Hon'ble Sri R.Rangarajan, Member(Administrative) I

Heard Sri K.Venkateswara Rao, learned counsel for the applicant and Sri N.R.Devaraj, learned Standing Counsel for the respondents.

2. The applicant pleads that he was initially engaged as Casual Mazdoor under the control of the respondents with effect from 5.1.1984 to 30.11.1984 and thereafter he was engaged periodically i.e. from 1.2.1985 to 30.4.1985, 1.2.1986 to 31.5.1986, 1.11.1987 to 31.1.1988 and lastly from 1.5.1989 to 30.6.1989. Thereafter his services were terminated and later he was not re-engaged. This OA has entitled for reengagement as Casual Mazdoor under the control of the Telecom District Engineer, Nizamabad in terms of the instructions issued by the Director General, Telecommunication and also as per Lr.No.TA/LC/1-2/III dt. 21.10.1991 and No.TA/RE/Rlgs/Corr. dt. 22.2.1993 issued by R-3 him as illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India.

not engaged after 30.6.1989 for any considerable period.

Hence, the question of condoning the break does not arise. of his earlier service in different spells.

4. In view of what is stated by the applicant, it has to be presumed that he had gained some experience in the work in the Telecom Department. So, it is in the interest of the department, if he is engaged in preference to a fresher whenever work is available. So, the only relief that can be granted is to direct the 2nd respondent to re-engage the applicant as Casual Mazdoor in preference to freshers whenever there is work. If the applicant is going to be engaged in pursuance of this order, none shall be retrenched who are already in service.

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

U
(R.Rangarajan)
Member(Admn.)

(V.Neeladri Rao)
Vice Chairman

Grh.

Deputy Registrar(J)CC

1. The Sub Divisional Officer,
Telecommunications, Kamareddy.
2. The Telecom Dist.Engineer, Nizamabad.
3. The Chief General Manager, Telecommunication,
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAJU
VICE-CHAIRMAN

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMIN)

DATED: 29-11-1994

ORDER/JUDGEMENT

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

O.A.No.

392/94

T.A.No.

(w.p.)

Admitted and Interim directions
issued.

Disposed of with directions.

Dismissed.

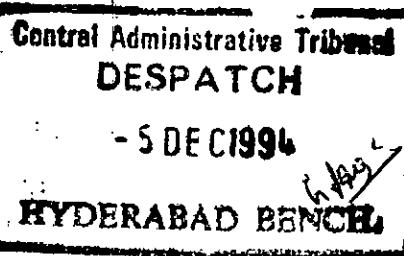
Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected

No order as to costs.

Hyderabad Bench



DVM