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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. 1025/94.

Dt. of Decision : 24-8-94.

Mr. M.V.Ramana Reddy

.. Applicant.

Vs

1. The Telecom District Engineer,
Adilabad, Adilabad District.
2. The Sub-Divisional Officer, Telecom,
Manchiryal, Adilabad District.
3. The Chief General Manager,
Telecommunications,
Doorsanchar Bhavan,
Nampally Station Road,
Hyderabad.

.. Respondents.

Counsel for the Applicant : Mr. Ch.Jagannatha Rao

Counsel for the Respondents: Mr. N.R.Devaraj, Sr.CGS^C.

CORAM:

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE CHAIRMAN

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

O.A.No.1025/94.

Date: 24.8.94

J U D G M E N T

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

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

2. The applicant pleads that he was first engaged as Casual Mazdoor under the control of the respondents with effect from 1.3.1987 to 30.6.1989 and again from 20.4.1993 to 20.12.1993, and later he was not engaged.

3. This OA has been filed praying for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of Telecom District Engineer, Adilabad in terms of the instructions issued by the Director General, Telecommunications and also as per letter No.TA/DC/1-2/III dt. 30.10.1991 and Lr.No.TA/RE/Rlgs/Corr. dt. 22.2.1993 of R-3, by holding that the action of the respondents is not engaging as illegal, discriminatory, arbitrary and violative of Articles 14 & 16 of the Constitution.

4. As per the details given by the applicant, he was not engaged after 20.12.1993 for any considerable period. Hence, he is not entitled to claim seniority on the basis of his earlier service in two different spells.

5. 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

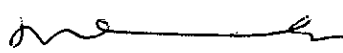
...3/-

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department if he is engaged in preference to a fresher whenever the work is available. So, the only relief that can be granted is to direct the 2nd respondent to engage the applicant as Casual Mazdoor in preference to a fresher whenever there is work. None ^{shall} ~~will~~ be retrenched who are already in service because of his reengagement.

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

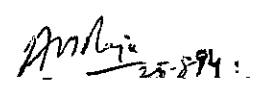


(R. Rangarajan)
Member (Admn.)



(V. Neeladri Rao)
Vice Chairman

Dated ^{24th} August, 1994.

 25-8-94

GEN.

To

1. The Telecom District Engineer, Adilabad, Adilabad Dist.
2. The Sub Divisional Officer, Telecom, Manchiryal, Adilabad Dist.
3. The Chief General Manager, Telecommunications, Doorsanchar Bhavan, Nampally Station Road, Hyderabad.
4. One copy to Mr. Ch. Jagannatha 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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C.C. by 26/8/94

25/8/94

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COMPAED BY 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 (JUDGE)

DATE: 24.8.1994

~~ORDER~~/JUDGMENT

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

in

O.A.No. 1025/94

(T.A.No.

(W.P.NO

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions. *admission flag*

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

NO spare copy

pvm

Central Administrative Tribunal
DESPATCH
29 AUG 1994
HYDERABAD BENCH.
G. And