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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 335/94.

Dt. of Decision : 2.6.94.

T. Asirvadam

.. Applicant

Vs

1. The Assistant Labour Commissioner
(Central, U-4 Quarters, Merchant
Navy Club, Port Area,
Visakhapatnam - 530 035.
2. The Sub-Divisional Officer,
Telecom, Jangareddy Gudem,
Chintala pudu, W.G.Dt.
3. The Telecom District Manager,
4. Secretary, Ministry of Labour, Union of India, Sramasakti
Bhavan, Parliament Street, New Delhi-001.

(R-4 impleaded as per the order Respondents
dt. 2.6.94 by MA no. 392/94)

Counsel for the Applicant : Mr. K.L. Narasimham

Counsel for the Respondents : Mr. K. Bhaskar Rao, Addl.CGSC.

CORAM:

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY : MEMBER (JUDL.)

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

O.A.NO.335/94

JUDGMENT

Dt: 2.6.94

(AS PER HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER(JUDL.))

The present OA is filed to direct the 1st respondent herein to send the failure report to the Government of India for refering the same to the Industrial Tribunal, Hyderabad for adjudication in accordance with law.

2. The applicant herein is one Shri T.Asirvadam, Ex-Casual Labourer in Telecom, Eluru. The service of the said Shri Asirvadam has been terminated in the year 1993. The applicant has raised a dispute under the Industrial Disputes Act. So, the conciliation proceedings had commenced before the 1st respondent. The grievance of the applicant is that the 1st respondent had failed to send to the Government of India the failure report for refering the same to the Industrial Tribunal even though the conciliation proceedings had failed before him. So, the present OA is filed for the relief as already indicated above.

3. We have heard today Shri K.L.Narasimham, counsel for the applicant and Shri K.Bhaskar Rao, Standing Counsel for the Respondents. Even though it is contended in the OA that the 1st respondent herein had not sent the failure report to the Government, the proceedings dated 18.1.1984 sent by the 1st respondent to the Secretary, Government of India, Ministry of Labour would go to show that the report had been sent concluding failure of the conciliation proceedings. So, in view of this position, the counsel appearing for the applicant

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Copy to:-

1. The Assistant Labour Commissioner,
(Central) U-4 Quarters, Merchant Navy Club,
Port Area, Visakhapatnam - 530 035.
2. The Sub Divisional Officer, Telecom,
Jangareddygudem, Chinthalapudi, W.G. District.
3. The Telecom District Manager,
Eluru, W.G. District.
4. Secretary, Ministry of Labour, Union of India, Sramasakti
Bhavan, Parliament Street, New Delhi-001.
5. One copy to Sri. K.L. Narasimham, advocate, 2-2-186/17/C/1,
Bagh Amberpet, Hyderabad-13.
6. One copy to Sri. K. Bhaskar Rao, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.


YLKR.


Ath. Rao
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Shri K.L.Narasimham fairly submitted that he would be satisfied if a direction is given to the Union of India who is the 4th respondent herein to pass appropriate orders on the report of the 1st respondent dated 18.1.1994 sent to the Secretary to the Government of India, Ministry of Labour on 18.1.1994. In view of the submission made by Shri K.L.Narasimham, Counsel for the applicant, we hereby direct the 4th respondent to pass appropriate orders, if the orders are not already passed, on the report dated 18.1.1994 sent by the 1st respondent to the Secretary, Government of India, Ministry of Labour with regard to failure of the conciliation proceedings. If the applicant continues to be aggrieved by the action of the Government of India on the said conciliation report dated 18.1.1994 of the 1st respondent, it will be open to the ~~xxxxxx~~ applicant to approach the competent forum for redressal of his grievance in accordance with law.

4. The OA is disposed of accordingly. No costs.


(R. RANGARAJAN)
MEMBER (ADMN.)


(T. CHANDRASEKHARA REDDY)
MEMBER (JUDL.)

DATED, 2nd June, 1994.
Open court dictation.


DEPUTY REGISTRAR(J)

vsn

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TYPED BY

COMPARED BY

CHECKED 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. A. B. G. RTHI : MEMBER(A)

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 2-6-1994.

ORDER/JUDGMENT:

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

in

O.A.No. 335/94

T.A.No. (W.P.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to costs.

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