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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

OA No.37/94

Date of Decision: 19.3.1997

BETWEEN:

Y. Insteen

.. Applicant

AND

1. The Sub-Divisional Officer,  
Telecom, Madanapalle - 517 501.

2. The Telecom Distt. Manager,  
Tirupathi - 517 501.

3. The Chairman,  
Telecom Commission,  
(Rep. Union of India).  
New Delhi - 110 001

.. Respondents

Counsel for the Applicant: Mr. C. Suryanarayana

Counsel for the Respondents: Mr. V. Bhimanna

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

JUDGEMENT

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.)  
19/3

Heard Sri C. Suryanarayana learned counsel for the applicant and Sri V. Bhimanna, Learned CGSC for the respondents.

The applicant was initially engaged on casual basis in April, 1987, continued to work intermittently till February 1988 and continuously thereafter upto 17.8.92 when his services were terminated with a month's notice for want of work.

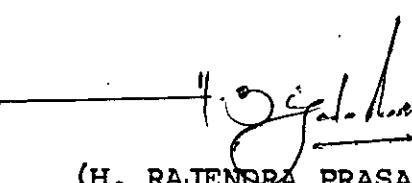
The grievance of the applicant is that the said termination is bad in law and that many of his juniors continue to be engaged till now whereas he has been discharged

on the ground of non-availability of work. The respondents submit that the applicant happened to be the junior-most

at the time of termination and hence his services were accordingly dispensed with. The applicant counters this argument by stating that no seniority list was ever published, nor was this fact mentioned as reason in the impugned order (Annexure A-1). Considering the facts and circumstances of the case, the submissions made and the facts revealed by the record, it is considered just and adequate to grant liberty to the applicant to make a detailed representation to respondents 2 & 3. The representation may be made within 30 days from today. Respondent No.2 shall have the representation examined with a view to arranging re-engagement of the applicant suitably in any unit within his division expeditiously, if any of his juniors were engaged, or continue to be engaged, after his termination. The fact that he has gained sufficient experience of work in the past shall be a part of justification for any decision to re-engage him. Although the applicant had been working under Respondent -1 prior to his termination, it shall be necessary for Respondent -2 to examine and arrange for his re-engagement wherever work happens to be available under his jurisdiction. Necessary decision/action shall be taken to comply with this direction within 30 days of the receipt of the representation submitted by the applicant in terms of this order.

As regards quantum of wages to be paid the same was not pressed in this OA by Sri Suryanarayana while submitting his arguments. He would, if so advised, agitate this grievance separately.

Thus the OA is disposed of.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

Date: 19th March, 1997.

KSM

3138  
Deputy Registrar

SP/6  
116/97

T COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE  
VICE CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 19-3-1997

ORDER/JUDGMENT

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

in

C.A.No.

37/97

T.A.No.

(w.p.)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal  
प्रेषण/DESPATCH

- 9 APR 1997 New

हृदयालय भारतीय  
HYDERABAD BENCH