

ANNEXURE - I

List of papers in Original Application No.

449/94

| Sl. No. of Papers | Date of Papers or Date of filing | Description of Papers. |
|----------------------|--|---------------------------|
|----------------------|--|---------------------------|

Part - I

Original Judgement

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...
...
...
...
...
...
...

Original Papers
Counter

Reply Counter.

PART - I , PART - II, PART - III
Destroyed.

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

O.A. / ~~T.A.R.P.C.P.~~ NO. 449 94

a) Applicant (s) N. Somasikhar
Versus
b) Respondents Suryay, min. of Communications, N. Delhi & Noida

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH.

C.A. No./T.A. No.....449.....1994

N. Somasekhar

Applicant(s)

VERSUS

Secretary, Min. of Commerce

Respondent(s)

new delhi & 2 others

| Date | Office Note | Orders |
|----------------|-------------|--|
| <u>18/6/94</u> | | <p>Link it for orders on 21-6-94 before Second Court.</p> <p>MRN T-27 n(A) HCSR n(B) n(C)</p> <p>OA is disposed of with no order as to costs. Vide the orders on separate sheet.</p> <p>T-27 HCSR n(B) HCSR n(C)</p> |
| <u>22/6/94</u> | | |

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 449/94

Date of Order: 22.4.1994

BETWEEN :

N. Somasekhar
A N D

.. Applicant.

1. Union of India Rep. by its
Secretary, Ministry of
of Telecommunication,
Sanchar Bhavan, New Delhi-110 001.

2. The Chief General Manager,
Telecom, Door Sanchar Bhavan,
Station Road, Nampally,
Hyderabad - 500 001.

3. The General Manager, Telecom,
Guntur.

4. The Telecom District Engineer,
Ongole.

5. The Sub-Divisional Officer,
Telecom, Chirala-523 155. .. Respondents.

Counsel for the Applicant

Mr. BSA. Satyanarayana

Counsel for the Respondents

Mr. K. Bhaskara Rao

CORAM :

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

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

(gc)

.. 2 ..

Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.)

The relief claimed by the applicant herein is for a direction to the respondents to grant him temporary status and to regularise his service in Group 'D' post after condoning the breaks in his engagement as casual mazdoor.

Heard learned counsel for both the parties. The applicant claims that he had worked under SDOT Tenali from March 1983 to December 1987. Thereafter he was engaged under SDOT, Chirala from 1.4.92 to 30.11.93. It is thus apparent that there is a long break in his engagement between 1987-1992. It is for the competent authority to examine this question in engagement for the purpose of condoning the same in accordance with the law. In view of the fact that the fact remains that the applicant worked continuously from 1.4.1992 to 30.11.1993. Accordingly this application is disposed of at the admission stage itself with the following directions:-

- (a) The name of the applicant will be entered in the live casual labour register keeping in view the continuous service rendered by him.
- (b). He will be re-engaged as and when there is work than preference to freshers and juniors.

..3

20/10/93

gj

.. 3 ..

(c) His case will be considered for grant of temporary status and subsequent regularisation in accordance with the extant scheme/instructions.

There shall be no order as to costs.

T. C. R.
(T. CHANDRASEKHARA REDDY)

Member (Judl.)

A. B. GORTHI
(A. B. GORTHI)
Member (Admn.)

Dated: 22nd April, 1994

Prabhakar
Deputy Registrar (J) CC

To sd

1. The Secretary to the Ministry of Communications, U.O.I., Dept. of Telecommunications, Sanchar Bhawan, New Delhi-1.
2. The Chief General Manager, Telecom, Post Sanchar Bhawan, Station Road, Nampally, Hyderabad-1.
3. The General Manager, Telecom, Guntur.
4. The Telecom Dist. Engineer, Ongole.
5. The Sub Divisional Officer, Telecom, Chirala-155.
6. One copy to Mr. B. S. A. ~~Advocate~~ Advocate, CAT-Hyd.
7. One copy to Mr. K. Bhasker Rao, Addl. DSSC, CAT-Hyd.
8. One copy to Library, CAT-Hyd.
9. One spare copy.

pwm

302810
P.M.
7/2/94

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.GORTHI : MEMBER(AD)

AND

THE HON'BLE MR.TCCHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

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

Dated: 22-4-1994

ORDER/JUDGMENT

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

in

O.A.No. 119/94

T.A.No. (w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

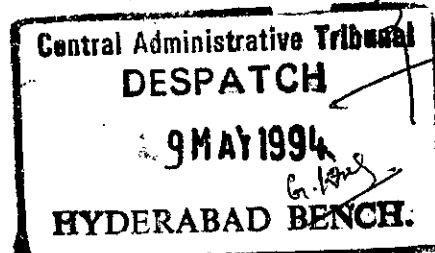
Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.



Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.)

The relief claimed by the applicant herein is for a direction to the respondents to grant him temporary status and to regularise his service in Group 'D' post after condoning the breaks in his engagement as casual mazdoor.

Heard learned counsel for both the parties. The applicant claims that he had worked under SDOT Tenali from March 1983 to December 1987. Thereafter he was engaged under SDOT, Chirala from 1.4.92 to 30.11.93. It is thus apparent that there is a long break in his engagement between 1987-1992. It is for the competent authority to examine this question in engagement for the purpose of condoning the same in accordance with the extant instructions. Nevertheless the fact remains that the applicant worked continuously from 1.4.1992 to 30.11.1993. Accordingly this application is disposed of at the admission stage itself with the following directions:-

- (a) The name of the applicant will be entered in the live casual labour register keeping in view the continuous service rendered by him.
- (b). He will be re-engaged as and when there is work than preference to freshers and juniors.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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Date of Order: 22.4.1994

BETWEEN :

N.Somasekhar

.. Applicant.

A N D

1. Union of India Rep. by its
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.. Respondents.



Counsel for the Applicant

Mr.BSA.Satyana Rayana

Counsel for the Respondents

Mr.K.Bhaskar Rao

COKAM:

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

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

.. 3 ..

(c) His case will be considered for grant of temporary status and subsequent regularisation in accordance with the extant scheme/instructions.

There shall be no order as to costs.

CERTIFIED TO BE TRUE COPY

Ramamurthy (R)
Date..... 28/11/96
Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad

sd
To

1. The Secretary to the Ministry of Communications, U.O.I. Dept. of Telecommunications, Sanchar Bhawan, New Delhi-1.
2. The Chief General Manager, Telecom, 2nd Sanchar Bhawan, Station Road, Nampally, Hyderabad-1.
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*3rd & 8th
P.M.
7.11.96*