

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 676/94.

Dt. of Decision : 13.6.94.

Naga

1. N.B. Subbarayudu
2. K. Krishna Mohan
3. D. Madhavaraju

,Applicants.

VS

1. The Union of India rep. by it's
The Chief General Manager,
Telecommunications, A.P.circle,
Door Sanchar Bhavan,
Station Road, Nampally,
Hyderabad - 1.

2. The Telecom, District Manager,
Kurnool - 518 050.

3. The Sub-Divisional Officer,
Telecommunications,
Dronachalam - 518 222.

.. Respondents.

Counsel for the Applicants : Mr. BSA. Satyanarayana

Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

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

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

..2

HALO

(9c)

O.A.NO.676/94.

JUDGMENT

Dt: 13.6.94.

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri BSA Satyanarayana, learned counsel for the applicants and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. This OA is filed praying for declaration that the action of the 2nd respondent as per the Memo. No.E.4-55/65, dated 31.5.1994 is illegal, arbitrary and for consequential direction to the 2nd respondent to with effect from 7.4.1994.

3. The three applicants pleaded that they attained temporary status on 1.10.1989 and on that basis their services as Mazdoors were regularised with effect from 7.4.1994. As per the impugned Memo dated 31.5.1994, Mazdoors on the alleged basis that there were breaks in service of these three applicants prior to 1.10.1989.

4. In para 7(2) of the OA, it was stated ~~that~~ inter-alia that the impugned order dated 31.5.1994 is vitiated as show cause notice was not given before issual of that memo.

5. It is ~~that~~ a case where services of the applicants were regularised as Mazdoors by Memo dated 7.5.1994. Ofcourse, it is open to the respondents to correct the

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contd....

IT-200
X

Copy to:-

1. The Chief General Manager, Telecommunications, Union of India, Deorsanchar Bhavan, Station Road, Nampally, Hyderabad.
2. The Telecom District Manager, Kurnool - 518 050.
3. The Sub Divisional Officer, Telecommunications, Dronachalam - 518 222.
4. Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, Hyderabad.
6. One copy to Library, CAT, Hyderabad.

YLKR.

1st page of 17/04

.. 3 ..

(91)

dated 7.4.94
said memo, if there was some mistake in issual of such
memo. But, fairness to ~~mind~~ ^{demands} that the affected parties
should be given a notice before correction, if it is
found to be ~~recessary~~ ^{necessary} a correction or mistake especially when
the said alleged mistake depends upon verification of
some facts.

we feel that
for want of notice before issual of the impugned memo
dated 31.5.1994, the same is liable to be set-aside
But this order does
not ~~is~~ debar the 2nd respondent from issuing a notice
to the applicants if there was a mistake in regularising
the same dated
7.4.1994, and then to proceed in accordance with law.

7. The OA is ordered accordingly at the admission

~~stare~~ No costs.

(R.RANGARAJAN)
MEMBER (ADMN.)

X
(V.NEELADRI RAO)
VICE CHAIRMAN

~~DATED: 15th June, 1994.~~
Open court dictation.

Amalgamated
15/6/94
Deputy Registrar(J)

30028

P.T.O

TEMPED 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
MR.A.B.G.RANI : MEMBER(A)

AND

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

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

Dated: 13- 6-1994.

ORDER/JUDGMENT:

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

in

O.A.NO. 676/94

T.A.NO.

(W.P.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

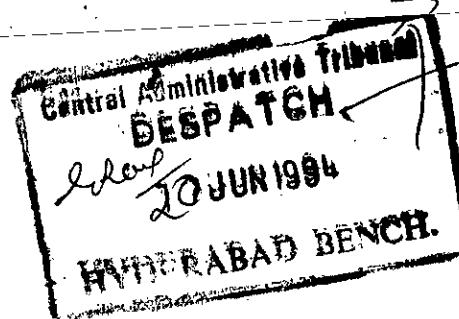
Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered. *at addressing stage*

No order as to costs.

pvm



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