

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
 AT HYDERABAD

O.A.No. 1086/94

Date of Order: 25.4.97

BETWEEN :

G.Srinivas

.. Applicant.

AND

1. The Divisional Engineer,  
 Telecom R.E.Project,  
 6-1-284, Padmarao Nagar,  
 Secunderabad - 500 025.

2. The Telecom District Engineer,  
 Adilabad.

3. The Sub-Divisional Officer,  
 Telecom, Warangal.

4. The Union of India, rep. by  
 the Chief General Manager, Telecom,  
 Hyderabad - 500 001.

.. Respondents.

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 Counsel for the Applicant

.. Mr.Jogender Singh  
 for  
 Mr.J.V.Lakshmana Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

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CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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JUDGEMENT

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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 Heard Mr.Jogender Singh for Mr.J.V.Lakshmana Rao,  
 learned counsel for the applicant and Mr.N.R.Devraj, learned  
 standing counsel for the respondents.

2. The applicant in this OA was engaged as casual mazdoor  
 initially in the R.E.Project in the year 1987 and he worked  
 for 212 days in that year. In 1988 he worked for 273 days

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in that unit. He was not engaged during the period 1989, 1990 and 1991. In the year 1992 he had put in 61 days of service and in 1993 he had put in 151 days of service. <sup>as</sup> ~~as~~ can be seen from the annexure to the letter No. A-7/DERE/SD/93-94, dt. 10.12.93 (A-1). Thereafter the applicant was ~~not~~ <sup>below</sup> engaged in Warangal as a discharge/casual labour from Warangal as can be seen from the letter No. A-7/DERE/SD/93-94, dt. 17.1.94 (A-2). It appears that he was not engaged in the Telecom District Manager, Adilabad was also addressed by the Director Telecom R.E. Project by his letter No. A-7/DERE/SD/93-94, dt. 20.4.93 (A-2) to engage him in Adilabad division. In that letter it is stated that the applicant had worked 515 days in Adilabad division in the R.E. Project.

3. This OA is filed praying for a direction to the respondents  
to grant a leave to file a writ of habeas corpus in the High Court of  
Madras by re-engaging his service immediately.

4. No reply has been filed in this OA. However the learned standing counsel for the respondents under instructions submitted that his case will be considered in accordance with the rules if he is eligible to be re-engaged. However from the facts of this case it is seen that the applicant is hailing from Adilabad area and hence he feels that he should be engaged in Adilabad division. It is also seen that the applicant had put in 515 days of service in the R.E. Project in Adilabad Division. Hence which will not be out of place if a direction is given to the respondent to re-engage him in Adilabad division if there is work in preference to those retrenched casual labours who had put in less than 515 days of work and also preference to <sup>it</sup> freshers from the open market.

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5. The above direction is also in consonance with ~~that~~ the interim direction given by this Tribunal dt. 5.9.95.

6. In view of what is stated above R-2 is directed to re-engage the applicant as a casual labour in his unit if there is work and there is need to re-engage the casual labours in preference to the retrenched casual labours who has put in less than 515 days of work in his unit and also in preference from the open market.

7. The OA is ordered accordingly. No costs.

*BS*  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)

*MR*  
( R.RANGARAJAN )  
Member (Admn.)

Dated : 25th April, 1997

( Dictated in Open Court )

*25/4/97*  
sd

*Ambr*  
D.R (S) <sup>105</sup>

28/1  
13/6/97

TYPED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.R.G. RAJAN : M/JAD  
AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:  
M(J)

DATED:

25/4/87

ORDER/JUDGEMENT

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

in  
D.A. No. 1086/84

~~ADMITTED INTERIM DIRECTIONS ISSUED~~  
~~ALLOWED~~  
~~DISPOSED OF WITH DIRECTIONS~~  
~~DISMISSED~~  
~~DISMISSED AS WITHDRAWN~~  
~~ORDERED/REJECTED~~  
~~NO ORDER AS TO COSTS~~

YLKR

II COURT

