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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.NO. 578/95

DATE OF JUDGMENT: 5.5.95

BETWEEN:

A. Possetty
A N D

1. The Telecom District Engineer,
Medak, Medak District.
2. The Sub Divisional Officer, Telecom,
Medak, Medak District
3. The Chief General Manager,
Telecommunications,
Doorsanchar Bhavan,
Nampally Station Road,
Hyderabad.

... Respondents.

COUNSEL FOR THE APPLICANT: SHRI Ch.Jagannatha Rao

COUNSEL FOR THE RESPONDENTS: SHRI K.Bhaskara Rao
Sr./Addl.CGSC

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

CONTD....

JUDGMENT

X as per Hon'ble Sri R.Rangarajan, Member(Administrative) X

Heard Sri Ch.Jagannatha Rao, learned counsel for the applicant and Sri K.Bhaskara Rao, learned counsel for the respondents.

2. The applicant pleads that he was engaged as Casual Mazdoor under the control of the respondents with effect from 1.5.1983 to 30.4.1989 as per the details furnished in Annexure-I filed along with O.A. His services were effective from 1.5.1989 and thereafter he was not re-engaged.

3. This OA has been filed praying for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of R-2 in terms of the instructions issued by the Director General, Telecommunications and also as per Lr.No.TA/EC/1-2/III dt. 31.10.1991, and Lr.No.TA/RE/20-1/Rlgs/Corr dt. 22.2.1993 issued by the Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyd. by holding that the action of the respondents in not reengaging him as illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India.

4. As per the details given by the applicant, he was not engaged from 1.5.1989. Hence, the question of condoning the break does not arise. As such, he is not eligible to claim seniority on the basis of his earlier service in different spells.

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5. In view of what is stated by the applicant, it has to be presumed that he had gained some experience in the work in the Telecom Department. So, it is in the interest of the department, if he is engaged in preference to a fresher whenever work is available. So, the only relief that can be granted is to direct the ~~1st~~ respondent to re-engage the applicant as Casual Mazdoor in preference to freshers whenever there is work. If the applicant is going to be engaged in pursuance of this order, none shall

6. The OA is ordered accordingly at the admission stage itself. No costs.

an
(R.Rangarajan)
Member(Admn.)

Neeladri
(V.Neeladri Rao)
Vice Chairman

Dated 5 May, 1995.

Grh:

Aud 1995
Dy.Registrar(Jud1)

Copy to:-

1. The Telecom District Engineer, Medak, Medak District.
2. The Sub-Divisional Officer, Telecom, Medak, Medak District.
3. The Chief General Manager, Telecommunications, Doorsanchar Bhavan, Nampally Station Road, Hyderabad.
4. One copy to Shri Ch.Jagannatha Rao, Advocate.
5. One copy to Mr.K.Bhaskara Rao, Addl.CGSC, CAT, Hyd.
6. One copy ~~spare~~.
7. One copy to Library, CAT, Hyd.

kku.

of 5/98/95

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COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

Hon'ble Mr. Justice N. Venkateswar Rao
~~THE HON'BLE SRI A. V. HARIDASAN, MEMBER~~

AND
Hon'ble Shri R. Rangarajan
~~THE HON'BLE SHRI A. B. GORTHI, MEMBER~~

DATED

5-5-95

ORDER/JUDGMENT

M.A. NO/R.P. NO/C.P. NO.

O.A. NO.

5/98/95

Admitted and Interim directions issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered.

No order as to costs.

YLKR

