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

C.A.NO. 811/95.

DATE OF JUDGMENT: 21-07-95.

BETWEEN:

G. Sankara Raju

.. Applicant.

AND

1. The Sub-Divisional Engineer,
Telecom, Tanuku-534 211.
2. The Telecom Distt. Manager,
U.G. Telecom District.
3. The Director-General, Telecom
(representing Union of India),
New Delhi-110 001.

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI C. Suryanarayana

COUNSEL FOR THE RESPONDENTS: SHRI V.Bhimanna,
Sr/Adcl.CGSC.

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

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

O.A.No.811/95.Date: 2/-7-1995.J U D G M E N T

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

Heard Sri C.Suryanarayana, learned counsel for the applicant and Sri V.Bheemanna, learned Standing counsel for the respondents.

2. The applicant pleads that he was initially engaged as Casual Mazdoor under the control of the respondents with effect from 6.8.1980 to 30.9.1981 for 378 days; and thereafter he was engaged periodically for 179 days during the period from 18.6.1984 to 29.3.1985; for 241 days during the period from 1.1.1986 to 30.11.1986; for 100 days during 1.5.1987 to 29.9.1987; for 484 days during 1.10.1988 to 25.3.1990; for 223 days during 15.7.1990 to 30.6.1991; and lastly for 55 days during July, 91 and October, 1992 as furnished by the applicant in Annex.A-1 filed along with the O.A. His services were terminated with effect from 1.11.1992 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 respondents in terms of various instructions issued by the Director General, Telecommunications and the Chief General Manager, Telecommunications, Doorsanchar Bhavan, and also absorbing him on regular basis according to his turn.


....3/-



4. As per the details given by the applicant, he was not engaged from 1.11.1992. 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.

5. In view of what is stated by the applicant, it has to be presumed that he had gained some x 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 be retrenched who are already in service.

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


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman


Dated 21 July, 1995.


Deputy Registrar(J)CC

To

1. The Sub-Divisional Engineer,
Telecom, Tanuku-211.
2. The Telecom Dist. Manager, W.G. Telecom Dist.
Eluru-050.
3. The Director General, Telecom, Union of India,
New Delhi-1,
4. One copy to Mr. C. Suryanarayana, Advocate, CAT. Hyd.
5. One copy to Mr. V. Bhimanna, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

A N D

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

DATED 21/7 1995.

ORDER/JUDGMENT:

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

OA.No.

811/95

TA.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.

no spare copy

