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

C.A.NO. 1134/95.

DATE OF JUDGMENT: 27-09-95.

BETWEEN:

1. K.Laxminarayana
2. M.Muthanna
3. K.Hammendlu
4. Ambrya
5. M.Venkanna

.. Applicants.

Vs

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

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI Ch. Jagannatha Rao

COUNSEL FOR THE RESPONDENTS: SHRI N.R.Beveraj,
Sr/Adv. CGSC.

CORAM:

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

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O.A.NO.1134/95.

JUDGMENT

Dt: 27.9.1995

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE)

Heard Shri Ch.Jagannatha Rao, learned counsel for the applicants and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. There are five applicants in this OA who are engaged as casual mazdeers under R-2 during the years 1985-88. They were continued as such ~~till various dates~~ ^{up to} during the years 1989-94 as given in Para 6(B) of the OA at page-2. Thereafter, they were not engaged. This OA was filed praying for declaration that the applicants are entitled for reengagement as casual mazdeers (temporary status) by regularising their service under the control of Telecom District Engineer, Adilabad in terms of the various instructions issued by the Director General, Telecom. and also as per the letter No.TA/RE/20-2/Rigs, dated 23.2.1993 issued by the Chief General Manager, Telecom, Hyderabad by holding that the action of the respondents in not reengaging them as illegal, discriminatory and violative of Articles 14 and 16 of the Constitution of India.

3. From the perusal of this OA, it will be seen that ^{some of the} ~~these~~ applicants were disengaged long back, ^{and some} ~~many~~ of them more than a year back. Hence, it is not proper to condone the absence. However, in view of the fact that they have

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already worked in the department, it has to be inferred that they have gained sufficient experience as compared to freshers who will be engaged, if necessary, in future. In the circumstances, the following direction is given:-

The applicants should be reengaged as and when work is available in preference to freshers. However, in pursuance of this order if the applicants are going to be reengaged, none will be retrenched who are already in service.

4. The OA is ordered accordingly at the admission stage. No costs. //

One
(R.RANGARAJAN)
MEMBER (ADMN.)

Hulu
(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 27th September, 1995.
Open court dictation.

Amr
DR (G)

To.

1. The Telecom District Engineer,
vsn

1. The Telecom District Engineer,
Adilabad, Adilabad District.
2. The Sub Divisional Officer, Telecom,
Adilabad, Adilabad District.
3. The Chief General Manager, Telecom,
Deorasanchar Bhava, Nampally, Hyderabad.
4. Copy to Ch.Jagannatha Rao, Advocate, Hyderabad.
5. Sri. N.R. Devaraj, Sr. Standing Council, C.A.T., Hyderabad.
6. One Spare Copy.

...

TYPED BY

CHECKED BY

COMPARED 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.R.RANGARAJAN : M(ADMN).

DATED:- 27/9/1995.

ORDER/JUDGMENT.

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

in

O.A.No. 1134/95

T.A.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.

pvm.

No Spare Copy

Central Adminstrative Tribunel
DESIGNER
4 OCT 1995 N.S.
HYDERABAD BENCH.