

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO.1164/95

Date of Order: 29-9-95.

Between:

**S.Suresh**

... Applicant

and

1. The Sub Divisional Officer, Phones,  
Nizamabad.
2. The Telecom District Engineer,  
Nizamabad.
3. The Chief General Manager,  
Telecommunications,  
Doorsanchar Bhavan, Hyderabad.

Respondents.

For the Applicant :- Mr. K.Venkateswar Rao, Advocate.

For the Respondents: Mr. K.Bhaskar Rao,  
Ex./Add.CGSC

CORAM:

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

THE HON'BLE MR.RARANGARAJAN : MEMBER(ADMN)

JUDGMENT

Dated: 29th September, 1995.

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

Heard Shri K.Venkateswara Rao, learned counsel for the applicant and Shri K.Bhaskara Rao, learned standing counsel for the respondents.

2. The applicant herein was engaged as casual mazdoor with effect from 19.2.1988 under R-1. He was continued as such till 1.7.1989. Thereafter he was disengaged. The prayer in this OA is for declaration that the applicant is entitled for reengagement as casual mazdoor under the control of the Telecom District Engineer, Nizamabad in terms of the various instructions issued by the ~~Director General, dated 21.10.1991 and letter no. 1A/RE/20-2/Rigs/Corr.~~, dated 22.2.1993 issued by the Chief General Manager, Telecom, Hyderabad by holding the action of the respondents in not reengaging him ~~as~~ illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution.

3. As the break in service is more than one year ~~in the first spell~~, the same cannot be condoned. However, as he has got experience in the department, he is more useful in the service compared to the freshers. In view of this, the following direction is given:-

*As*  
The applicant shall be engaged if there is work in future in preference to freshers. But if he is going to be *As* engaged in pursuance of this order, none who is already in service ~~will~~ be retrenched.

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

*RR*  
(R.RANGARAJAN)  
MEMBER (ADMN.)

*VNR*  
(V.NEELADRI RAO)  
VICE CHAIRMAN

Dated: 29th September, 1995.  
Open court dictation.

*ANIL*  
Deputy Registrar (S) CC

TYPED 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

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

DATED: - 1995

ORDER/JUDGMENT

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

in

O.A.No.

T.A.No. (W.P.No.

Admitted and Interim direction  
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.