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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.1391/95

Between:

Date of Order: 17.11.95.

B.Anand

...Applicant.

And.

1. The Sub Divisional Officer,  
Telecommunications,  
Guntakal.
2. The Telecom District Manager,  
Ananthapur.
3. The Chief General Manager,  
Telecommunications,  
Doorsanchar Bhavan,  
Hyderabad.

...Respondents.

Counsel for the Applicant : Mr.K.Venkateswar Rao

Counsel for the Respondents : Mr.V.Bheemanna, Addl. CGSC.

CORAM:

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

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

contd...

(21)

OA.1391/95

Judgement

( As per Hon. Mr. R. Rangarajan, Member (Admn.) )

Heard Sri K. Venkateswara Rao, learned counsel for the applicant and Sri V. Shimanna, learned counsel for the respondents.

2. The applicant was engaged as Casual Labour/mazdoor with effect from 12-6-1987 and he was discharged on 12-12-1989. Thereafter he was not reengaged. This OA is filed for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of Telecom District Manager, Anantapur, in terms of various instructions issued by the Director General, Telecommunications and also as per letter No.TA/LC/1-2/III, dt 21-10-1991 and Lr. No.TA:RE:20-2/Rlgs/Corr dated 22-2-93 issued by the Chief General Manager Telecommunications, Hyderabad, by holding that the action of the respondents in not reengaging him as illegal, arbitrary, and violative of Articles 14 and 16 of the Constitution.

3. In view of the fact that he had worked in this Dept. he had gained experience in the functioning of the Department, his services in the Department will be more useful when compared to the freshers in the Open market. As he has been disengaged more than six years back, the absence in the intervening period cannot be condoned.

4. Under the circumstances, the following direction is given :

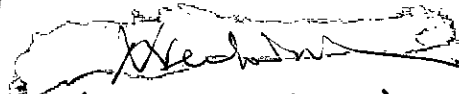
R-1 should reengage the applicant if there is work in preference to freshers in the open market. If he is

engaged in pursuance of this order, none of the Casual Labours in service already shall be retrenched.

5. The OA is ordered accordingly at the admission stage, itself. No costs.//



(R. Rangarajan)  
Member (Admn.)



(V. Neeladri Rao)  
Vice Chairman

Dated : November 17, 95  
Dictated in Open Court

  
5-12-95  
DEPUTY REGISTRAR(J)

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To

1. The Sub Divisional Officer, Telecommunications, Guntakal.
2. The Telecom District Manager, Ananthapur.
3. The Chief General Manager, Telecommunications, Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, AT, Hyderabad.
5. One copy to Mr.V.Bheemanna, Addl.CGSC,CAT,Hyderabad.
6. One copy to Library,CAT,Hyderabad.
7. One spare copy.

YLKR

  
12/12/95

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRIRAO  
VICE CHAIRMAN

AND

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

DATED: 17-11-1995

ORDER/JUDGMENT

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

in

O.A.No. 1391/95

T.A.No.

(W.P.No. )

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.

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2 O.A. copies  
No spare copy

