IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. **1445/95**

Date of Order: **29-11-95**

Between:

B.Mohan Rao.

.. Applicant

and

1. The Sub Divisional Officer,
   Telecommunication, Vizianagaram.

2. The Telecom Dist.Engineer
   Vizianagaram.

3. The Chief General Manager, Telecommunications,
   Doorsanchar Bhavan, Nampally Station Road,
   Hyderabad.

4. The Chairman, Telecom Commission,
   New Delhi-

5. The Assistant Engineer(Groups)
   Telecommunications,
   Garividi, Vizianagaram Dist.

Respondents.

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

For the Respondents: Mr.V.Bhimanna,
                      Sr./Add.CGSC

CORAM:

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

THE HON'BLE MR. A.B.GORTHI : MEMBER(ADMN)

Judgement

(As per Hon. Mr. A.B. Gorthi, Member(Admn.))

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

2.   The relief claimed by the applicant is for a direction
to the respondents to regularise him with effect from 1-4-91
by including the casual service rendered by him prior to
attaining the age of 18 years.

3.   It is stated in the OA that the applicant was orginally
engaged as Casual Mazdoor under the control of R-1 with
effect from 10-12-1980 and that at that time he was below
the age of 18 years. His date of birth was 30-9-1965.
Subsequently, the applicant was conferred temporary status
as Mazdoor in terms of the Casual Mazdoor (Grant of Tempo-
rary status) Scheme. The applicant having put in 3943 days
of casual labour was eligible for regular absorption with
effect from 1-4-1991. The respondents, however, did not
regularly absorb him and the reasons stated by the respon-
dent is that the service rendered by the applicant prior
to his attaining the age of 18 years could not be reckoned
for the purpose of working out his seniority for grant of
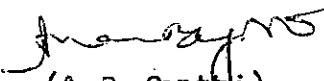regularisation.

4.   Learned counsel for the applicant has drawn our
attention to the decision of this Bench of the Tribunal in
OA.280/89. In its order dated 7-9-92, the Tribunal repelled
the contention of the respondents therein that the service
rendered by Casual labour prior to his attaining age of
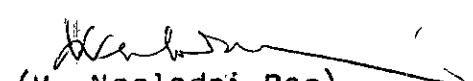18 years could not be taken into consideration for

..2.

regularisation.

5.   As the applicant before us is similarly situated as the applicants in OA.280/89, there is no reason why similar order should not be passed in this case also. Accordingly this OA is allowed at the admission stage with a direction to the respondents to take into consideration the entire service rendered by the applicant, including the service rendered prior to attaining the age of 18years for the purpose of regularly absorbing him. This may be done within a period of 3 months from the date of communication of this order. No costs. //

(A.B. Corthi)
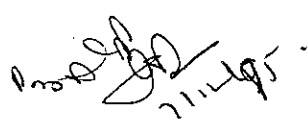Member(Admn)

(V. Neeladri Rao)
Vice Chairman

Dated : November 29, 95
Dictated in Open Court

Deputy Registrar(J)CC

To sk

1.   The Sub Divisional Officer,
      Telecommunication, Vizianagaram.

2.   The Telecom Dist.Engineer,
      Vizianagaram.

3.   The Chief General Manager, Telecommunications,
      Doorsanchar Bhavan, Nampally Station Road,
      Hyderabad.

4.   The Chairman, Telecom Commission, New Delhi.

5.   The Assistant Engineer(Groups)
      Telecommunications, Garividi, Vizianagaram Dist.

6.   One copy to Mr. K.Venkateswar Rao, Advocate, CAT.Hyd.

7.   One copy to Mr.V.Bhimanna, Addl.CGSC.CAT.Hyd.

8.   One copy to Library, CAT.Hyd.

9.   One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

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

DATED: 28 - 11 -1995

ORDER/JUDGMENT

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

in

O.A.No. 1445/95.

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

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed. at the admission stage

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

along with OA.copies

No spare copy

pvm.