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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. No. 145/95.

Dt. of Decision : 08-02-1995.

G. Narsa Reddy

.. Applicant.

Vs

1. The Telecom District Engineer,
Medak, Medak District.
2. The Sub-Divl. Officer, Telecom,
Medak, Medak District.
- Telecommunications,
Doorsanchar Bhavan,
Nampally Station Road,
Hyderabad.

.. Respondents.

Counsel for the Applicant : Mr. Ch. Jagannatha Rao

Counsel for the Respondents : Mr. N. R. Donath,
Sr. Case

CORAM:

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

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

O.A.No.145/95.

(90)

Date: 8/1/95

J U D G M E N T

{ as per Hon'ble Sri R.Rangarajan, Member(Administrative) }

Heard.

2. The applicant herein submits that he was initially engaged as Casual Mazdoor under the control of the respondents with effect from 1.8.1982 to 25.11.1982 and thereafter he was engaged from 1-4-1986 to 15-9-1986, 1-10-1986 to 3-6-1987, 1-7-1987 to 31-8-1987, 1-11-1988 to 31-12-1988 and lastly from 1-1-1989 to 25-3-1989. Thereafter his services were terminated and later he was not re-engaged. This OA has been filed for a declaration that the applicant is entitled for re-engagement as Casual Mazdoor under the control of Telecom Dist. Engineer, Medak in terms of the instructions issued by the Director General, Telecommunications and also as per letter No.TA/LC/1-2/III dt. 21.10.1991 and also as per letter No.TA/RE/Rlgs/Corr. dt. 22-2-1993 issued by R-3 by holding that the action of the respondents in not re-engaging him as illegal, discriminatory and arbitrary and violative of Articles 14 & 16 of the Constitution

3. As per the details given by the applicant in Annexure-I filed along with OA he was not engaged after 25-3-1989. 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.


4. In view of what is stated by the applicant, it has to be presumed that he had gained some experience in the work in the Telecom Department. So, it is in the

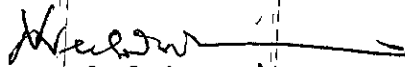
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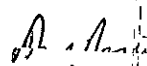
interest of the department, if he is engaged in preference to a fresher whenever work is available. So, the only relief that can be granted is to direct the 2nd respondent to re-engage the applicant as Casual Mazdoor in preference to freshers whenever there is work. If the applicant is going to be engaged in pursuance of this order, none shall be retrenched who are already in service.

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


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice-Chairman

 February, 1995.


Deputy Registrar (J) CC

Grh.

To

1. The Telecom Dist. Engineer, Medak,
Medak Dist.
2. The Sub Divisional Officer, Telecom
Medak, Medak Dist.
3. The Chief General Manager, Telecommunications,
Doorsanchar Bhavan, Nampally Station Road,
Hyderabad
4. One copy to Mr. Ch. Jagannatha Rao, Advocate, 1-8-702/92/4
Nallakunta, Hyderabad.
5. One copy to Mr. N. B. Devar, G. C. S. C. A. T. Hyderabad.
6. One copy to Library, CAT. Hyd.
- 7 One spare copy.

with a copy of OA.

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17/2/95

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 8-2-1995

ORDER/JUDGEMENT:

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

in

O.A.No.

145/95

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.

No spare copy

[Signature]
17/2/95

