

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1480/95.

Dt. of Decision : 06-12-95.

B. Chandra Mouli

.. Applicant.

Vs

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

.. Respondents.

Counsel for the Applicant : Mr. Ch. Jagannadha Rao.

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

CORAM:

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

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

..2

P.2

O.A.No.1480/95.

J U D G M E N T

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

Heard Sri Ch.Jagannadha Rao, learned counsel for the applicant and Sri V.Bhimanna, learned Counsel for the respondents.

2. The applicant in this OA was engaged as Casual Mazdoor with effect from 1.10.1988 and he was discharged from service on 26.6.1993. Thereafter he was not engaged.

3. This OA is filed praying for declaration that the applicant is entitled for reengagement as Casual Mazdoor (Temporary status) by regularising his services under the control of Telecom District Engineer, Adilabad in terms of various instructions issued by the Director General, Telecommunications and also as per Lr.No.TA/LC/1-2/III dt. 31.10.1991 and Lr.No.TA/RE/20-1/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, arbitrary and violative of Articles 14 & 16 of the Constitution of India.

4. As the applicant was disengaged long back, the long absence of 2 years cannot be condoned. As he was engaged earlier in the department, he had gained experience and hence his services will be more efficient compared to the freshers from the open market.

5. In the result, the following directions are given:-

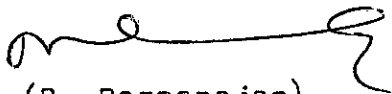
- (i) The applicant should be reengaged if there is work in preference to freshers from the open market in the same unit from where he was discharged last; and
- (ii) If in pursuance of this order if he is going to be

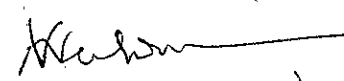
20

3

reengaged, none who is presently working as Casual labour shall be disengaged.

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


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

Dated : Dec.6, 95
Dictated in Open Court


Deputy Registrar(J)CC

To sk

1. The Telecom District Engineer,
Adilabad, Adilabad Dist.
2. The Sub Divisional Officer, Telecom,
Manchiryal, Adilabad Dist.
3. The Chief General Manager, Telecommunications,
Doorsanchar Bhavan, Nampally Station Road,
Hyderabad.
4. One copy to Mr.Ch.Jagannadha Rao, Advocate, CAT.Hyd.
5. One copy to Mr.V.Bhimanna, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm

 12/11/95

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

DATED: 6-12-1995

ORDER/JUDGMENT

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

in

O.A.No.

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.

pvm.

along with OA cases (2)

No Spare Copy

