

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

OA 153/95.

Dt. of Order: 8-2-95.

A.Tejappa

.. Applicant

Vs.

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

.. Respondents

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Counsel for the Applicant : Shri K.Venkateswara Rao

Counsel for the Respondents : Shri N.R.Devraj, Sr.CGSC

CORAM:

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

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

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.. 2.

232.

Dg

JUDGMENT

(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 1.3.1988 to 20.6.1988. He was lastly engaged from 1.12.1988 to 30.6.1989 and thereafter his services were terminated and later he was not re-engaged. This OA has been filed praying for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of the Telecom District Engineer, Nizamabad in terms of the instructions issued by the Director General, Telecommunications and also as per Lr. No. TA/LC/1-2/III dt. 21-10-1991 and NO. TA/.../... holding that the action of the respondents in not reengaging him as illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India.

3. As per the details given by the applicant, he was not engaged after 30.6.1989. 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 interest of the department, if he is engaged in preference



RHD

to ~~as~~ freshers 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.

Meenakshi
(R.Rangarajan)
Member(Admn.)

Neeladri Rao
(V.Neeladri Rao)
Vice-Chairman

Dated *15* February, 1995.

Amulya
Deputy Registrar(J)CC

Grh.

To

1. The Sub Divisional Officer, Phones, Nizamabad. *With* *With a copy of OA.*
2. The Telecom Dist.Engineer, Nizamabad.
3. The Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy spare.

pvm

Dated 15/2/95

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

DATED: 8-2-1995

~~ORDER~~ JUDGEMTN:

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

in

O.A.No.

153/95

T.A.No.

(w.p.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed. *with a copy of OA*

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected

No order as to costs.

*As per
No. 5 spare copy*

