

23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.NO: 1544/95.

Date of Judgment: 18-12-95.

BETWEEN:

P. Venkateswara Rao .. Applicant.

And ..

1. The Sub-Divisional Officer,
Telecommunication, Tanuku.
2. The Divisional Engineer,
Telecom, Bhimavaram.
3. The Chief General Manager,
Telecommunications,
Door Sanchar Bhavan, Hyderabad.
4. The Sub-Divisional Officer,
Telecommunications, Mancherial. .. Respondents.

CC: C.R. 11

CC: C.R. 11, T.O.C. 11, D.R.O.C. 11, S.R.I.

COUNSEL FOR THE APPLICANT: SHRI K. Venkateswara Rao
COUNSEL FOR THE RESPONDENTS: SHRI N.R. Devaraj,
Sr./Adv. CGSC

CORAM:

HON'BLE SHRI JUSTICE V. NELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.R. RANGARAJAN MEMBER (ADMIN.)

DA.1544/95

24

Judgement

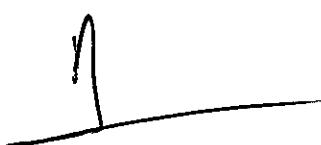
(As per Hon. Mr. R. Rangarajan, Member (Admn))

Heard Sri K. Venkateswara Rao, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. The applicant was engaged as Casual Labour / mazdoor from 1-5-1987 and he worked till 30-11-1988 and again from 1-1-1989 to 30-4-89 he was reengaged. This DA is filed for declaration that the applicant is entitled to be reengaged as Casual mazdoor under the control of R-2 in terms of various instructions issued by the Director General, Telecommunication, and also as per letter No.TA/LC/1-2/II dated 21-10-91 and Lr. No.TA/RE/20-2/Rlgs.Corr dated 22-2-93 issued by R-3 by holding that the action of the respondents in not reengaging him as casual labour as illegal, arbitrary and violation of Articles 14 and 16 of the Constitution.

3. The applicant has been disengaged from 1-5-1989 i.e. six years before filing of this DA. Hence, long absence cannot be condoned. However, the applicant acquired sufficient knowledge in regard to his work as he worked as casual labour in the Department for quite some time earlier. In view of this he has to be preferred in preference to freshers from the open market.

..2.



4. In the result, the following direction is given :

The applicant should be re-engaged as casual labour Mazdoor in future if there is work in preference to freshers from the open market in the same unit from which he was disengaged last. If in pursuance of this direction he is going to be reengaged none who is already in casual service will be retrenched.

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

R. Rangarajan
(R. Rangarajan)
Member (Admin.)

Neeladri Rao
Vi. Neeladri Rao
- Vice Chairman

Dy. Registrar Dy. Registrar (Judl.)

Copy to:-

1. The Sub Divisional Officer, ~~Department of Telecommunication~~, Tanuku.
2. The Divisional Engineer, Telecom, Bhimavaram.
3. The Chief General Manager, Telecommunications, Deep Sanchar Bhavan, Hyderabad.
4. The Sub Divisional Officer, Telecommunications, Mancherial.
5. One copy to Sri. K. Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

27/1544/95

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADARAO
VICE CHIEF JUDGE

AND

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

DATED: 18/12/1995

ORDER/JUDGMENT

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

In

O.A.No. 1544/95

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.

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केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal!

पत्र/DESP/TCII

- 4 JAN 1996 NSD

हैदराबाद वायपीठ
HYDERABAD BENCH