

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.1546/95.

Dt. of Decision : 15-12-95.

M.Ramamurthy

.. Applicant.

Vs

1. The Union of India, Rep. by the Chief General Manager, Telecom, AP.Circle, Hyderabad.
2. The General Manager, Telecom, Visakhapatnam.
3. The Telecom District Manager, Visakhapatnam.
4. The Divisional Engineer, AP.Telcom, Anakapalli-531 001.
5. The Sub-Divisional Officer, Telecom, Anakapalli-531 001.

.. Respondents.

Counsel for the Applicant : Mr. VSN Sastry

Counsel for the Respondents : Mr. N.V.Ramana, Addl.CGSC.

CORAM:

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

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

O.A.NO.1546/95.

JUDGEMENT

Dt:15.12.95

(AS PER HON'BLE SHRI A.B.GORTHI, MEMBER (ADMINISTRATIVE)

Heard Shri VSN Sastry, learned counsel for the applicant and Shri N.V.Ramana, learned standing counsel for the respondents.

2. The grievance of the applicant is against the notice of termination dated 14.11.95 issued by the Sub Divisional Officer, Telecom, Anakapally.

3. It is stated in the OA that the applicant had worked as Casual Mazdoor with effect from 1.3.84 to September 1995 and that during the said period, he had served as Casual Labourer for a total number of 1538 days. His contention is that juniors to him are retained and also that there is work against which he could continue to be engaged as Casual Mazdoor.

4. The learned counsel for the applicant has drawn our attention to the order dated 9.10.95 in OA 1167/95 by this Bench of the Tribunal in a similar case. Therein the respondents were directed to verify whether in fact the applicant was ^{the} junior most and whether he was to be retrenched for want of work. A further direction was given to consider reengagement of the applicant therein as and when work becomes available in preference to ~~junior~~ his juniors/freshers.

5. As the applicant before us is similarly situated, there is no reason why similar order should not be

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passed. Accordingly, this OA is disposed of at the admission stage itself with the following directions to the respondents:-

(i) The respondents should verify whether the applicant is in fact ^{IC} junior-most to be retrenched for want of work. If juniors to him are retained, he too shall be retained so long there is work;

(ii) In case retrenchment of the applicant ^{as being} junior ^{most} is considered ^{to be} inescapable, the respondents shall consider his case for ~~xxxxxx~~ reengagement as soon as there is work and in preference to juniors and freshers.

6. The OA is ordered accordingly. No costs. //

Amma S. R. S.
(A. B. GORTHI)
MEMBER (ADMIN.)

V. Neeladri Rao
(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 15th December, 1995.
Open court dictation.

Amma S. R. S.
Deputy Registrar (J) CC

To

vsn

1. The Chief General Manager,
Union of India, Telecom A.P.Circle,
Hyderabad.
2. The General Manager, Telecom, Visakhapatnam.
3. The Telecom District Manager,
Visakhapatnam.
4. The Divisional Engineer, A.P.Telcom,
Anakapalli-1.
5. The Sub Divisional Officer, Telecom,
Anakapalli-1.
6. One copy to Mr.V.S.N.Sastry, Advocate, CAT.Hyd.
7. One copy to Mr. N.V.Ramana, Addl.CGSC.CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

Amma S. R. S.
pvm.

I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

A R Gorhi

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

Dated: 15-12-1995

ORDER/JUDGMENT

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

in

O.A.No. 1546/95

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.

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केन्द्रीय प्रशासनिक विधायिका	
Central Administrative Tribunal	
प्रेषण/DESPATCH	
- 9 JAN 1996 ASY	
हैदराबाद : यायापीठ	
HYDERABAD BENCH	