

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT  
HYDERABAD.

C.A.NO. 1575/95.

DATE OF JUDGMENT: 22-12-95.

BETWEEN:

S.Eswar Reddy

....Applicant

AND

1. The Sub Divisional Officer, Telecommunication, Dharmavaram.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunications, Door Sanchar Bhavan, Hyderabad.

....Respondents

COUNSEL FOR THE APPLICANT: SHRI K.Venkateswara Rao

COUNSEL FOR THE RESPONDENTS: SHRI K.Ramulu,  
Ex/Addl.CGSC.

CORAM:

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

... 2.

OA 1575/95.

Date of Order: 22-12-95.

(Order passed by Hon'ble Shri R.Rangarajan, Member (A) ).

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The applicant in this Original Application was engaged as a Casual Mazdoor under the control of Respondent No.1 with effect from 26-12-88 to 30-11-89. Thereafter he ~~has been~~ <sup>was</sup> again re-engaged <sup>from</sup> 1-11-91 to 30-11-91. Thus it is stated that he had completed 340 days of Casual Service. From 1-12-91 onwards he was not engaged.

2. This O.A. is filed for a declaration that the applicant is entitled for re-engagement as Casual Mazdoor under the control of the Telecom District Manager, Anantapur, in terms of the various instructions issued by the Director General, Telecommunications, and also as per the Lr.No.TA/LC/1-2/III, dt.21-10-91 and also Lr.No.TA/RE/20-2/Rigs/Corr., dt.22-2-93 issued by the Chief General Manager Telecommunications, Hyderabad, by holding the action of the respondents in not re-engaging him as illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution.

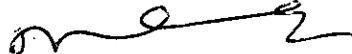
3. The applicant was discharged way back in the year 1991 i.e. four years earlier. Hence this long absence cannot be condoned. However he has gained experience because of working in the Department for about 4 years from 1988 to 1991. Hence

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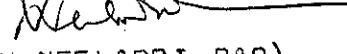
he is to be preferred in preference to freshers from the open market for future engagement if there is work. In the result, the following direction is given :-

" The applicant should be re-engaged as a Casual Labour Mazdoor if there is work in future in preference to freshers from the open market in the Unit from which he was last dis-engaged. If in pursuance of this order he is going to be re-engaged, none who is already in Casual Service will be retrenched."

4. The Original Application is ordered accordingly at the admission stage itself. No costs. //

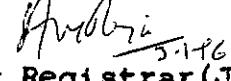
  
(R.RANGARAJAN)

Member (A)

  
(V.NEELADRI RAO)

Vice-Chairman

Dated: 22nd December, 1995.  
Dictated in Open Court.

  
Deputy Registrar (J) CC

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To

1. The Sub Divisional Officer, Telecommunication, Dharmavaram.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunications, Door Sanchar Bhavan, Hyderabad.
4. One copy to Mr. K. Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr. K. Ramulu, Addl.CGSC.CAT.Hyd.
6. One copy to Library CAT.Hyd.
7. One spare copy.

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I COURT

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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(A)

Dated: 22-12-1995

ORDER/JUDGMENT

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

in

O.A.No. 1575] 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.

No Spare Copy

केन्द्रीय प्रशासनिक अधिकारण

Central Administrative Tribunal

EXPEDITED/EXPEDITED

- 9 JAN 1996 NMF

हैदराबाद अधिकारी  
HYDERABAD DRAFT