

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD.

C.A.NO. 1603/95.

DATE OF JUDGMENT: 29-12-95.

BETWEEN:

S. Bashir

.. Applicant.

AND

1. The Sub-Divisional Officer,
Telecommunication, Guntakal,
Anantapur District.

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 N.R. Devaraj,
Sr. Advoc. CGSC.

CORAM:

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

23

2
O.A.NO.1603/95

JUDGEMENT

DT: 29.12.95

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMIN.)

Heard Shri K.Vekateswara Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant in this OA was engaged as casual Mazdoor under R-1 from 9.9.85 and he worked as such upto 20.3.87 when he was disengaged thereby he had completed 540 days of casual service. He was not reengaged on some pretext or the other as alleged by the applicant. This OA was filed for declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of the Telecom District Manager, Anantapur, in terms of the various instructions issued by the Telecom Department of Telecommunications and also as per the letter No.TA/LC/1-2/III dated 21.10.91 and letter No.TA/RE/20-2/Rlgs/Corr., dated 22.2.93 issued by the Chief General Manager, Telecommunications, Hyderabad by holding the action of the respondents in not reengaging him as illegal, arbitrary, discriminatory, and violative of Articles 14 and 16 of the Constitution of India.

3. The applicant had previous experience in the department because of his working as Casual Mazdoor earlier. Hence, he has acquired knowledge in discharging duties entrusted to him. Hence, it would be better if he is reengaged in preference to freshers in future if there is work in the unit from which he

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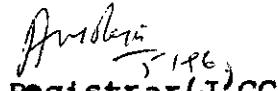
was last retrenched. As he was disengaged in 1988, 8 years earlier, long absence cannot be condoned. In the circumstances, following direction is given:

The applicant should be reengaged if there is work in future in preference to freshers from the open market in the unit from which he was last retrenched. If in pursuance of this order, he is going to be reengaged, none in casual service be retrenched.

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


(R.RANGARAJAN)
MEMBER (ADMN.)


(V.NEELADRI RAO)
VICE CHAIRMAN


Open court dictation.

vsn

Deputy Registrar (J) CC

1. The Sub Divisional Officer, Telecommunication, Guntakal, Anantapur Dist.
2. The Telecom Dist. 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. N. R. Devraj, Sr. 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: 29-12-1996

~~ORDER/JUDGMENT~~

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

in

O.A.No. 1603/95

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.

along with 2 OA copies

No Spare Copy

केन्द्रीय प्रशासनिक अदायक
Central Administrative Tribunal

प्रेषण/DESPATCH

16 JAN 1996

हैदराबाद अधिकारी
HYDERABAD BENCH