

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

O.A.NO.1612 of 1995.

Between

Dated: 1.1.1996.

M.Naga Raju

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Applicant

And

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

...

Respondents

Counsel for the Applicant

: Sri. K.Venkateswara Rao.

Counsel for the Respondents

: Sri. N.V.Ramana, Addl. CGSC.

Hon'ble Mr. Justice V.Neeladri Rao, Vice Chairman

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:....2/-

(23)

- 2 -

DA 1612/95.

Dt. of Order:1-1-96.

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

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The applicant was initially engaged as Casual Mazdoor under the control of Respondent No.1 with effect from 19-8-77 and he continued as such up to 31-12-79. He was re-engaged once again from 4-9-82 to 26-6-83. Thereafter he was not re-engaged. During the two spells quoted above, he had completed 356 days of Casual Service. The prayer in this O.A. is 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, Telecommunication^{and} also as per Lr.No.TA/LC/1-2/III, dt.21-10-91 and Lr.No.TA/RE/20-2/R1gs/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.

4. The Applicant

thereby he had gained some experience. Hence he has to be preferred in preference to the freshers from the open market. But his long absence for over 12 years cannot be condoned. In the circumstances, the following direction is given :-

- The applicant should be re-engaged if there is work in preference to freshers from open market in future vacancies in the same Unit from which he was retrenched last. If in pursuance of

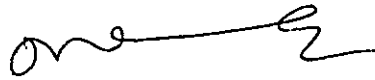


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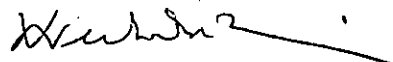
(94)

this order, the applicant is going to be re-engaged, none of the Casual Labourers, who are already in service will be retrenched.

3. The Original Application is ordered accordingly at the admission stage itself. No order as to costs. //



(R. RANGARAJAN)
Member (A)



(V. NEELADRI RAO)
Vice-Chairman

Dated: 1st January, 1996.
Dictated in Open Court.

 S. 186
Deputy Registrar (J) CC

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To
----- Divisional Officer,
Telecommunications, Hindpur,
Anantapur Dist.

2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunications,
Door Sanchar Bhavan, Hyderabad.
4. Tbnafmāvāram.
5. One copy to Mr. K. Venkateswar Rao, Advocate, CAT. Hyd.
6. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

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: \ -1 -1996

~~ORDER/JUDGMENT~~

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

in

O.A.No.

1612/95

T.A.No.

(w.p.No.

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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

