

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1041/95

28

Date of Order: 4-9-95

Between:

Mr. Fakruddin.

... Applicant

and

1. The Sub Divisional Officer, Telecommunication, Guntakal.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyderabad.
4. The Assistant Engineer Tax Installation, Guntakal.

Respondents.

For the Applicant :- Mr. K. Venkateswar Rao, Advocate.

For the Respondents: Mr. N. R. Devraj,
S/o./Add. CGSC

CORAM:

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

THE HON'BLE MR. RARANGARAJAN : MEMBER(ADMN)

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DA 1041/95.

Dt. of Order: 4-9-95.

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

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

2. The applicant was engaged as a Casual Mazdoor under the control of Respondent No.1 with effect from 1-6-1985 to 20-3-1987. Thereafter he was not re-engaged.

3. This O.A. is filed for a declaration that the applicant is entitled for re-engagement as Casual Mazdoor under the control of Telecom District Engineer, Ananthapur in terms of various instructions issued by the Director General, Telecommunications and also as per Lr.No.TA/LC/1-2/III dt.21-10-1991 and Lr.No.TA/RE/20-2/Rigs/Corr., dt.22-2-1993 issued by the Chief General Manager, Telecommunications, Hyderabad, by holding that the action of the Respondents in not re-engaging him as illegal and arbitrary.

4. The applicant was dis-engaged after 20-3-1987. As more than eight years had elapsed after his dis-engagement from service, the long period of absence cannot be condoned. However, he has got experience of having been worked in the department for about 2 years. Hence, it is to be presumed that he has gained experience in the working of the department and hence, he will be better suited compared to freshers, who may be engaged as Casual in future.

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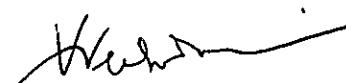
5. Under the above circumstances, the following direction is given :-

The applicant should be re-engaged in future, if there is work in preference to freshers after verifying the details of his service as given in this O.A. If he is going to be re-engaged in pursuance of this order, none, who is now working in the department as Casual Labourer shall be retranched.

6. The O.A. is ordered accordingly at the admission stage itself. No order as to costs. //

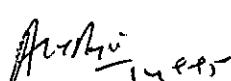


(R.RANGARAJAN)
Member (A)



(V.NEELADRI RAO)
Vice-Chairman

Dated: 4th September, 1995.
Dictated in Open Court.


Arthur
Deputy Registrar (J) CC

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To

1. The Sub Divisional Officer, Telecommunication, Guntakal.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyderabad.
4. The Assistant Engineer, Tax Installation, Guntakal.
5. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

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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(ADMN)

DATED:- 4 -9 -1995.

ORDER/JUDGMENT.

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

in

O.A.No.

1041/95

P.A.No.

(W.P.)

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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