

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
OA.1635/95.

Date of order: 3-1-1996.

Between:-

S.Lachmi Narayan ... Applicant.

And

1. The Sub-Divisional Officer, Telecommunication, Mancherial.
2. The Telecom District Engineer, Adilabad.
3. The Chief General Manager Telecommunications, Doosanchar Bhavan, Hyderabad.
4. The Telecom District Manager, Nizamabad.

... Respondents.

Counsel for the Applicant: Mr.K.Venkateswara Rao

Counsel for the Respondents: Mr.N.R.Devaraj, Sr.CGSC.

CORAM:

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

HON'BLE SHRI R.RANGARAJAN, MEMBER ADMINISTRATIVE.

Judgement

( As per Hon. Mr. R. Rangarajan, Member (A) )

Heard Sri K. Venkateswara Rao, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. The applicant joined as Casual Mazdoor on 20-8-80 under R-1. He worked as Casual mazdoor upto 31-1-1982 thereby completing 400 days of casual service. He was dis engaged from 1-2-1982 and thereafter he was was not reengaged.

3. This application is filed praying for a declaration that the applicant is entitled for re-engagement as Casual Mazdoor under the control of Telecom District Manager, Adilabad, in terms of the various instructions issued by the Director General Telecommunication and also as per the Lr.No.TA:LC:1-2/III dated 21-10-1991 and Lr.No.TA:RE:20-2/Rlgs/Corr dated 22-2-1993 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.

4. The applicant had served the Department for two years in the early 80s and hence he has some working knowledge of the Department. Hence he has to be given preference to freshers from the open market. As he was away from the Department for over 13 years the long absence cannot be condoned.



5. In the result, the following direction is given :

The applicant should be reengaged if there is work in preference to freshers from the open market in the same unit from which he was retrenched last. If in pursuance of this order he is going to be reengaged <sup>same</sup> none who is already in casual labour shall be retrenched.

6. The OA is ordered accordingly, at the admission stage itself. No costs. //



(R. Rangarajan)  
Member (Admn.)



(V. Neeladri Rao)  
Vice Chairman

*Arbitrator*  
Dy. Registrar (Judl)

Dt. January 3, 95  
Dictated in Open Court

Copy to:-

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1. The Sub Divisional Officer, Telecommunications, Mancherial.
2. The Telecom District Engineer, Adilabad.
3. The Chief General Manager, Telecommunications, Doosanchar Bhavan, Hyderabad.
4. The Telecom District Manager, Nizamabad.
5. One copy to Mr. K. Venkateswara Rao, Advocate, C.A.T., Hyderabad.
6. One copy to Mr. N. R. Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
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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: 3-1-1996

ORDER/JUDGMENT

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

O.A.No. 1635/95

T.A.No.

(W.P.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions *at the*  
Dismissed. *admission stage*

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No spare copy

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal

DESPATCH

25 JAN 1996

हैदराबाद बैठकीठ  
HYDERABAD BENCH