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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

L.R.No. 1636/95

Dt. of Order: 3.1.96

Between :-

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Applicant

and

1. The Telecom District Engineer,
Kurnool, Kurnool District.

2. The Sub Divisional Officer,
Telecom, Nandyal, Kurnool,
Kurnool District.

3. The Chief General Manager,
Telecommunications, Nampally,
Hyderabad.

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Respondents

Counsel for the Applicant : Shri. Ch. Jagannadha Rao

Counsel for the Respondent : Shri. N.V.Ramana, Addl.CGSC

CONAM:

THE HON'BLE JUSTICE SHRI V.NEE LADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

(21)

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DA.1636/95

Judgement

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

Heard Sri Ch. Jagannadha Rao, learned counsel for the applicant and Sri N.V. Ramana, learned counsel for the respondents.

2. The applicant in this DA was engaged as Casual Mazdoor under the control of R-2 with effect from 1-10-91. He served in that capacity till 30-6-93 when he was disengaged. He was not reengaged thereafter.

3. This DA was filed for a declaration that the applicant is entitled for reengagement as Casual Mazdoor (Temporary status) by regularising his services under the control of Telecom District Engineer, Kurnool, in terms of the various instructions issued by the Director General, Telecommunications, and also as per the letter No. TA:IC:1-2/III, dated 31-10-91 and 1r.No.TA:RE:20-1/Rigs/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, bad, discriminatory and arbitrary and violation of Articles 14 and 16 of the Constitution of India.

3. The applicant had served the Department for about two years and hence he has some working knowledge of the Department. Hence, he has to be given preference to

freshers from the open market. But his long service of over 2 1/2 years cannot be condoned.

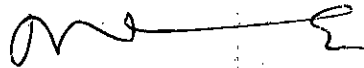

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(72)

4. 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 none who is already in casual labour service shall be retrenched.

5. The DA is ordered accordingly at the admission stage itself. No costs. //



(R. Rangarajan)
Member (Admn.)



(V. Neeladri Rao)
Vice Chairman

Dated : January 3, 96
Dictated in Open Court



Deputy Registrar (J) CC

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To

1. The Telecom District Engineer,
Kurnool, Kurnool Dist.
2. The Sub Divisional Officer,
Telecom, Nandyal, Kurnool,
Kurnool Dist.
3. The Chief General Manager,
Telecommunications, Nampally,
Hyderabad.
4. One copy to Mr. Ch. Jagannadha Rao, Advocate, CAT. Hyd.
5. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

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APPROVED BY

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.

in

1636/95

T.A.No.

(w.p.No.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

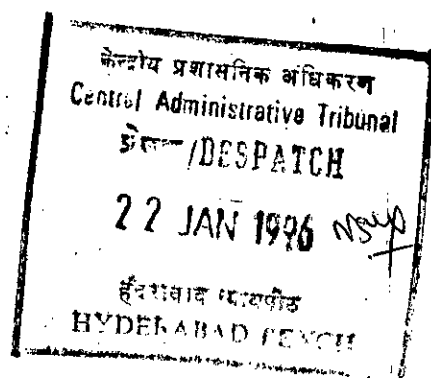
Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No spare copy



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