

22

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

\*\*\*

O.A. 283/95.

Dt. of Decision : 26-10-95

P. Srinivas Reddy

.. Applicant.

Vs

1. The Assistant Engineer,  
Microwave Project,  
Hyderabad.
2. The Telecom District Engineer,  
Mahabubnagar.
3. The Divl. Engineer, Telecom  
Microwave Project, Western Region,  
Bagha Lingampally, Hyderabad.
- .....  
Transmission Project, Hyderabad.

5. The Chief General Manager,  
Nampally Station Road, Hyderabad.

.. Respondents.

Counsel for the Applicant : Mr. K.Venkateswara Rao

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

CORAM:

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

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

23

O.A.No.283/95

JUDGEMENT

I As per Hon'ble Sri R. Rangarajan, Member (A) I

Heard the learned counsel for both the parties.

2. The applicant in this O.A. was engaged as Casual Mazdoor under R-1 and he worked in that capacity from 5-3-87 to 29-2-88. He was retrenched on 29-2-88 and thereafter he was not reengaged. This O.A. is filed for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of respondents in terms of various instructions issued by the D.G., Telecom and also as per Lr.No.TA/LC/1-2/III, dt.21-10-91 and Lr.No.TA/RE/20-2/Rlgs/Corr, dt.22-2-93 issued by the Chief General Manager, Telecom, Hyderabad (R-5) by holding that the action of the respondents in not reengaging him is illegal, arbitrary, discriminatory and violative of Arts.14 and 16 of the Constitution.

3. There is no doubt that the applicant had worked under R-1 during the period 5-3-87 to 29-2-88 and as he was not reengaged thereafter condonation of the delay for one year cannot be acceded to. However, as the applicant had worked in Telecom Department, he had gained considerable experience by working in the Department and his services will be more useful compared to the services of freshers

*SL*

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

The applicant should be reengaged as Casual  
Mazdoor in the same unit from which he was disengaged  
earlier, if there is work in preference to freshers.  
In case ~~his reengagement~~ in pursuance of this direction  
~~none should be retrenched.~~

5. The O.A. is ordered accordingly. No costs.//

*[Signature]*  
( R. Rangarajan )  
Member (A)

*[Signature]*  
( V. Neeladri Rao )  
Vice Chairman

Dated 26-10-1995  
Open Court Dictation

*[Signature]*  
Deputy Registrar(J)CC

To

1. The Assistant Engineer, Microwave Project,  
kmv Hyderabad.
2. The Telecom District Engineer, Mahabubnagar.
3. The Divisional Engineer, Telecom Microwave Project,  
Western Region, Bagh Lingampally, Hyderabad.
4. The Director of Telecom Transmission Project, Hyderabad.
5. The Chief General Manager, Nampally Station Road, Hyderabad
6. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd
7. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.