

14

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

OA.386/95

Date of order: 27-3-1995.

K.Sreenivasulu

...

Applicant.

1. The Sub-divisional Officer, Phones, Adoni.
2. The Divisional Engineer (SBP),
Office of the Telecom District Manager, Kurnool.
3. The Telecom District Manager, Kurnool.

...

Respondents.

Counsel for the Applicant Mr. P. Bhaskar, Advocate.

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.

(16)

O.A.No.386/95.

Date: 28/2/95

J U D G M E N T

I as per Hon'ble Sri R.Rangarajan, Member(Administrative) X

Heard.

2. The applicant pleads that he was initially engaged as Casual Mazdoor for performing the duties of Typist under respondents with effect from December, 1989. He was engaged periodically (as shown in ANNEXURE - I filed along with this OA) during the years 1990 to 1995. His services were terminated from 1.3.1995 and later he was not re-engaged.

3. This OA has been filed praying for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of R-1 by declaring the action of the respondent in terminating him as illegal, null and void.

4. As per the details given by the applicant, he was not engaged after 1.3.1995. The question of condoning any break does not arise. As such, he is not eligible to claim seniority on the basis of his earlier service in different spells.

5. In view of what is stated by the applicant, it has to be presumed that he had gained some experience in the work in the respondents organisation. So, it is in the interest of the department, if he is engaged in preference to a fresher whenever work is available. So, the only relief that can be granted is to direct the 1st respondent

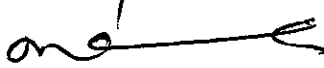
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to re-engage the applicant as Casual Mazdoor in preference to freshers whenever there is work. If the applicant is going to be engaged in pursuance of this order, none shall be engaged who are already in service.

5. The OA is ordered accordingly at the admission stage.


(R. Rangarajan)
Member (Admn.)


(V. Neeladri Rao)
Vice Chairman

Dated 25th March, 1995.

Grh.


Dy. Registrar (Judl)

Copy to:-

1. The Sub-Divisional Officer, Phones, Adoni.
2. The Divisional Engineer (SBP), Office of the Telecom District Manager, Kurnool.
3. The Telecom District Manager, Kurnool.
4. One copy to Mr. P. Bhaskar Advocate, CAT, Hyderabad.
1-3-183/40/68/1A, Gandhinagar, New Bakaram, Hyd-380.
5. One copy to Mr. N. R. Devaraj, Sr. CWSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyd.
7. One spare.

kku.

OA. 386/95

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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 27-3 1995.

ORDER/JUDGMENT:

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

O.A. No.

In

T.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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