

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 1186/95

Date of Order : 7.1.98

BETWEEN:

Regulagadda Devendrudu

.. Applicant.

AND

1. The Secretary to Govt. of India,
Ministry of Communications,
New Delhi.
2. The Director General,
Telecommunications,
Sanchar Bhavan,
20, Ashoka Road, New Delhi.
3. The Chief General Manager,
Telecommunications, A.P.,
Doorsanchar Bhavan,
Hyderabad.
4. The Telecom District Engineer,
Eluru.
5. The Sub Divisional Engineer,
Telephones, Palakollu.
6. The Chief Telegraphmaster in Charge
Telegraph Office, Palakollu.

.. Respondents.

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Counsel for the Applicant

.. Mr. U.R.S. Gurupadam

Counsel for the Respondents

.. Mr. N.R. Devraj

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CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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O R D E R

X As per Hon'ble Shri R. Rangarajan, Member (Admn.) X

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Mr. U.R.S. Gurupadam, learned counsel for the applicant
and Mr. N.R. Devraj, learned standing counsel for the respondents.

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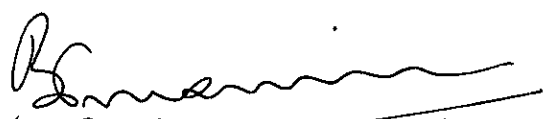
2. The applicant submits that he was utilised daily for 2 to 3 hours as a casual mazdoor from 14.5.89. His services were not regularised. Hence he has filed this OA praying for a direction to the respondents 4 to 6 to regularise his services as mazdoor in view of his six years of unblemished service.

3. When the OA was came up for admission hearing an interim order dated 14.3.95 had passed. As per the interim order status-quo as on that date ~~was~~ to be maintained until further orders.

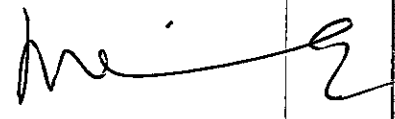
4. The learned counsel for the respondents though not filed reply submits on the basis of the draft counter available with him, that he was engaged for one or two hours for seasonal work and that he is ^{not} entitled for treatment as a part-time casual labourer. When a casual labourer is employed for a short period whether it is a seasonal work or otherwise he has to be termed as a part-time casual mazdoor. Hence his rights are to be protected in accordance with the rules for regularisation of part-time casual labourer.

5. In this connection it is not necessary for us to further examine this issue as this issue had already been decided by the Apex Court in Civil Appeal No.360-361/94 dt. 2.4.97 (Secretary, Ministry of Communication and others Vs. Smt.Sakku Bai and another). In that appeal the department of communication had submitted that the part-time casual labourers would be absorbed in terms of the letter of 17th May, 1989 which is still inforce. The Apex Court has upheld that submission of the Department of Telecommunication. Hence we have no doubt in our mind that the ^{case of the} applicant ^{for regularisat} who is a part-time casual labourer will also be dealt ^{with} in accordance with the letter dated 17.5.89 by the Department of Telecommunicatio

6. In view of the above, the OA is disposed of with the observation as mentioned above. No costs.



(B.S. JAI PARAMESHWAR)
Member (Judl.)



(R.RANGARAJAN)
Member (Admn.)

7.1.98

Dated : 7th January, 1998

(Dictated in Open Court)

Prk:
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Copy to:

1. The Secretary to Govt. of India, Min. of Communications, New Delhi.
2. The Director General, Telecommunications, Sanchar Bhavan, 20, Ashoka Road, New Delhi.
3. The Chief General Manager, Telecommunications, A.P., Doorsanchar Bhavan, Hyderabad.
4. The Telecom District Engineer, Eluru.
5. The Sub Divisional Engineer, Telephones, Palakollu.
6. The Chief Telegraph Master in Charge, Telegraph Office, Palakollu.
7. One copy to Mr. U.R.S. Gurupadam, Advocate, CAT, Hyderabad.
8. One copy to Mr. N.R. Devraj, Sr. CGSC, CAT, Hyderabad.
9. One copy to D.R(A), CAT, Hyderabad.
10. One duplicate copy.

YLKR

28/1/98
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

THE HON'BLE MR. B. S. JAI PARAMESHWAR :
M(J)

DATED: 7/1/98

ORDER/JUDGMENT

M.A./R.A/C.A.NO.

in

C.A.NO: 1186/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

