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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.NO. 502/95

DATE OF JUDGMENT: 24-4-95

BETWEEN:

K.Trinadh.

... **Applicant.**

and

1. The Sub Divisional Officer,
Telecommunication, Vizianagaram.
2. The Telecom District Engineer,
Vizianagaram.
3. The Chief General Manager,
Telecommunication, Doorsanchar Bhavan,
Hyderabad.

... **Respondents.**

COUNSEL FOR THE APPLICANT: SHRI K.Venkateswar Rao.

COUNSEL FOR THE RESPONDENTS: SHRI N.R.Devraj,
Sr./~~Adv.~~ CGSC

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.RANGARAJAN, MEMEER (ADMN.)

CONTD....

JUDGMENT

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

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

2. The applicant herein pleads that he was engaged as Casual Mazdoor under the control of the respondents with effect from 15.2.1983 to 16.1.1990 as per the details furnished in Annexure-I filed along with O.A. His services were terminated with effect from 17.1.1990 and thereafter 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-2 in terms of the instructions issued by the Director General, Telecommunications and also as per the Lr.No.TA/LC/1-2/III, dt. 21.10.1991 and letter No.TA/RE/20-2/Rlgs/Corr. dt. 22.2.1993 issued by the Chief General Manager, Telecommunications, Hyderabad by holding that the action of the respondents in not reengaging him as illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India.
4. As per the details given by the applicant, he was not engaged from 17.1.1990. Hence, the question of condoning the break does not arise. As such, he is not entitled to claim seniority on the basis of his earlier service in different spells.

4. 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 Telecom Department. So, it is in the interest of the department, if he is engaged in preference ^{whose MVR is provided by the Employment Exchange} to a fresher whenever work is available. So, the only relief that can be granted is to direct the 2nd respondent 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 retrenched who are already in service.

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

One
(R.Rangarajan)
Member (Admn.)

Neeladri
(V.Neeladri Rao)
Vice Chairman

Dated 24 th April, 1995.

Ambriz 2-595
Deputy Registrar (J) CC

To

1. The Sub Divisional Officer, Telecommunication, Vizianagaram
2. The Telecom District Engineer, Vizianagaram.
3. The Chief General Manager, Telecommunication, Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC,CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm.

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COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELANDRI RAO
VICE- CHAIRMAN

AND

THE HON'BLE MR. R. RANGARAJAN: M(ADMN)

DATED - 28/6/1995.

ORDER/JUDGMENT:

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

O. A. No.

in
50195

T. A. No.

(W. P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed. along with OA

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

