

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.510/95

dated : 18-8-97

Between

P. Srinivas

: Applicant

and

1. Asstt. Engineer  
CXL Mtce, Kodad 508208

2. Sub Divnl. Engineer  
Telecom, Jaggayyapet 521175

3. General Manager  
Telecommunications  
Vijayawada 520010

4. Director General  
Telecom (reptg. Union of India)  
New Delhi 110001

: Respondents

Counsel for the applicant

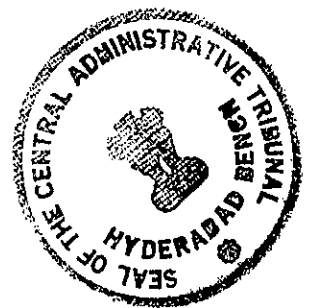
: C. Suryanarayana  
Advocate

Counsel for the respondents

: V. Bhimanna  
Standing Counsel for Central Govt

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HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)



OA.510/95

dt.18-8-97

Judgement

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admn))

Heard Mr. C. Suryanarayana for the applicant and Mr. V. Bhimanna for the respondents.

1. The applicant in this case was initially engaged as Casual Mazdoor on 1-10-1986 and continued to serve till 31-1-1988 without break. He was disengaged from 1-2-1988 which according to the applicant, was nothing but another form of retrenchment.

2. It is <sup>stated</sup> by the counsel for the applicant that the CXL, Mke., Kodad, Assistant Engineer submitted before the Labour Court, to whom the case had gone for conciliation, that the applicant had been absorbed on Muster Rolls on 1-2-1991. Apart from the fact that a Junior Telecom Officer was not competent to issue any notice for removal of the applicant's name from the Muster Roll, the additional factor that the Assistant Engineer decided to take him, suo-moto, on Muster Roll seniority from 1-2-1991 would establish that he was disengaged during 1-2-1988 <sup>and</sup> 1-2-1991, <sup>and</sup> which was neither warranted nor permitted by rules, the Departmental procedures. Under the circumstances the plea of the applicant that the above period should also be counted for determining the seniority is justified and cannot be denied.

3. The above pleadings are found acceptable.

4. The respondents are directed to fix his seniority on the basis of his initial engagement from 1-10-1986 and <sup>grant</sup> consequential benefits like conferment of temporary status and regularisation of service, as envisaged under the relevant rules. The applicant shall not be entitled for any

21-1

wages during the period of his disengagement. Action  
in this regard may be completed within 90 days from the  
date of receipt of copy of this order. 11 1  
5. Thus the OA is disposed of. "

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CERTIFIED TO BE TRUE COPY

न्यायालय अधिकारी  
COURT OFFICER  
केंद्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
हैदराबाद शाखा  
HYDERABAD BRANCH

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