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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 5082082. Sub Divnl. Engineer
Telecom, Jaggayyapet 5211753. General Manager
Telecommunications
Vijayawada 5200104. 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

CORAM

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



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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 stated by the counsel for the applicant that the CXL, Mte., 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 1-2-1991,

and 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 grant 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

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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. //

5. Thus the OA is disposed of. //

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY
[Signature]

स्वायत्तं अधिकारी
COURT OFFICER
केंद्रीय प्रशासनिक अधिकार
Central Administrative Tribunal
हैदराबाद न्यायालय
HYDERABAD BENCH

TC
[Signature]