

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 525/95.

Dt. of Decision : 28-4-97.

B.Sambasiva Rao

.. Applicant.

Vs

1. The Director General,
Telecommunications, Sanchar Bhavan,
New Delhi.
2. The Chief General Manager,
Telecommunications, AP Circle,
Door Sanchar Bhavan, Abids,
Hyderabad.
3. The General Manager,
Telecom District, Daba Garden,
Visakhapatnam.
4. The Sr. Superintendent,
Teletraffic Division,
Dept. of Telecommunications,
Visakhapatnam.

.. Respondents.

Counsel for the applicant : Mr.V.Venkateswara Rao

Counsel for the respondents : Mr.K.Bhaskara Rao, Addl.CGSC.

CCRAM:

THE HON'BLE SHRI R.PANGARAJAN : MEMBER (ADMN.)

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

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ORDER

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

Heard Mr.V.Venkateswara Rao, learned counsel for the applicant and Mr.K.Bhaskara Rao ^{learned counsel} for the respondents.

2. The applicant is a physically handicapped person who was permitted to run a Public Telephone Booth as per the conditions stipulated therein. It is stated that the applicant is due to pay about Rs.36,000/- to the respondents ^{as telephone bill charges}. The applicant submits that he has filed O.S.691/91 on the file of the Third Additional District Magistrate Court, Visakhapatnam challenging the demand of payment for the Telephone Bill. That O.S. is still pending.

3. In the mean time in view of the judgement of this Tribunal in OA.187/94 and batch the applicant is to be absorbed ^{as a casual} labour and his further ^{progress on the basis has to be} ~~progress~~ decided thereon. The applicant was not absorbed as casual labour in terms of the judgement in OA.No. 187/94 and batch ^{in view of the fact that he has not paid the telephone bill}.

4. Hence, he has filed this OA to absorb him as a casual labour in terms of the judgement in OA.187/94 and batch with all consequential benefits such as seniority, grant of temporary status regularisation etc.,

5. The respondents have filed their reply. In the reply it is stated that they will absorb him as casual labour in terms of OA.No.187/94 and batch subject to the condition that he ^{obtains} ~~can take~~ "no due certificate after paying the Telephone bill as above without waiting for the decree in the suit on the file of the Third Addl. District Magistrate Court, Visakhapatnam. ^{pushed aside to} ~~The Government does~~ cannot be ~~persuaded~~ ^{can} give effect to the directions given in OA. The applicant should fulfil all the conditions before implementing the direction in OA.187/94 and batch in his case. In this case the applicant is due to pay the telephone bill and ^{he} ~~is~~ required to obtain the no due certificate. He cannot ^{get} absorption now and pay the bill if required after the decree is passed in the above

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said OA. That would mean loss of interest to the Government which is not desirable. In view of the above, the applicant may now pay the telephone bill amount, obtain the no due certificate and approach the respondents for absorbing ^{him} as a casual labour in terms of the judgement in OA.187/94 and batch disposal of the without waiting for CS on the file of the Third Additional District Magistrate Court, Visakhapatnam. If the applicant produces the no due certificate as above he should be engaged as casual labour. If the decree is passed in his favour by the Third Addl. District Magistrate Court, Visakhapatnam the amount paid by him should be ~~returned~~ ^{refunded} back to the applicant within a month from the date of passing of the decree.

6. With the above observation the OA is disposed of.
No order as to costs.

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)

28/4/97
Dated : The 28th April 1997.
(Dictated in the Open Court)

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(R. RANGARAJAN)
MEMBER (ADMN.)

for
D.R. (J)

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Copy to:

1. The Director General, Telecommunications,
Sanchar Bhavan, New Delhi.
2. The Chief General Manager,
Telecommunications, AP Circle,
Doorsanchar Bhavan, Abids, Hyderabad.
3. The General Manager, Telecom District,
Daba Garden, Visakhapatnam.
4. The Senior Superintendent, Telettraffic Division,
Dept. of Telecommunications, Visakhapatnam.
5. One copy to Mr. V. Venkateswara Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr. K. Bhaskara Rao, Addl. CGSC, CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One duplicate copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.R. AGARWAL : M(A)

AND

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

DATED: 28/4/97

ORDER/JUDGEMENT

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

in

C.A.No. 525/95

~~ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS~~

YLKR

II COURT

