

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.554/95

DATE OF ORDER : 07-09-1998.

Between :-

K.Ch.Peter (Died)
(LRs brought on record vide Court Order dt.24-7-98
in MA 578/98)

1. K.Sobharani (Wife)
 2. K.Krupa Parimala Chandrika (Daughter)
 3. K.Buela Priya (Daughter)
- (LRs 2 & 3 are under guardian ship of 1st LR)

... Applicants

And

1. The Divisional Engineer,
Optical Fibre Project, Telecom,
Vijayawada-520 010.
2. The Gaeral Manager,
Vijayawada Telecom Dist.,
Vijayawada-520 010.
3. The General Manager,
Transmission Project,
Babukhan Estates, Hyd-1.
4. The Chief General Manager,
Telecommunications, AP, Hyd-1.
5. Union of India rep. by
the Director General, Telecom,
New Delhi-110 001.

... Respondents

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Counsel for the Applicants : Shri C.Suryanarayana

Counsel for the Respondents : Shri Kota Bhaskar Rao,CGSC

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CORAM:

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

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

(Order per Hon'ble Shri B.S.Jai Parameshwar, Memb

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(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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This OA taken up for hearing on the basis of letter dt.12-8-98 of the learned counsel for the applicant. The learned counsel for the applicant submits that the respondents be directed to consider the case of the applicant for grant of temporary status with effect from 1-10-1989 and to grant the consequential benefits that flows therefrom to the legal representatives of the deceased applicant.

2. In para-8 of the order we have clearly observed that the absence of the applicant for the period from 1-2-1989 to 31-10-1991 was the period spent by him in challenging the order of retrenchment issued by the respondents. Eventhough we have said so, the said period is treated as break in service.

3. The said period must be considered as part of the service of the applicant for the purpose of determining his seniority and the applicant be considered for grant of temporary status.

4. Action may be taken on the said basis. It is represented on behalf of the LRs that some officials who are juniors to the deceased employee have since been regularised in employment with retrospective effect as regular Mazdoor. If this is correct, the respondents shall have to consider the case of the deceased applicant for conferring ^a/similar benefit from the date on which such junior was regularised in service.

5. For this purpose, the applicants^(LRs)/shall submit to the

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respondents a proper representation giving the details of the juniors who they claims were regularised.

6. Any other consequential benefits flows out of such regularisation shall also become available to the legal representatives of the applicant.

R. S. Jai Prakash Jaiswal
(B.S. JAI PRAKASH JAIWAL)
Member (J)
7.9.98
[Signature]
Member (A)

Dated: 7th September, 1998.
Dictated in Open Court.

avl/

[Signature]
Deputy Registrar

OA. 554/95

To

1. The Divisional Engineer,
Optical Fibre Project, Telecom,
Vijayawada-010.
2. The General Manager,
Vijayawada Telecom Dist. Vijayawada-010.
3. The General Manager, Transmission Project,
Babukhan Estates, Hyderabad-1.
4. The Chief General Manager,
Telecommunications, A.P. Hyderabad-1.
5. The Director General, Telecom,
Union of India, New Delhi-1.
6. One copy to Mr.C.Suryanarayana, Advocate, CAT.Hyd.
7. One copy to Mr.K.Bhaskar rao, CGSC. CAT.Hyd.
8. One copy to HBSJP.M.(J) CAT.Hyd.
9. One spare copy.
10. One copy to DR(A) CAT.Hyd.

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TYPED BY

CHECKED BY

I COURT

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

The Hon'ble Mr. B.S. Jaisankar: M(J)

DATED: 7-9-1998.

ORDER/JUDGMENT

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

in

O.A.No.

T.A.No.

554/95.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

