

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD

C.A.No. 123/96

Dt. of Order: 2-2-96.

Between :-

S.A.Zakeer Hussain

... Applicant

A N D

1. The Telecom District Manager,  
Anantapur.
2. The Chief General Manager,  
Telecom Doorsanchar Bhavan,  
Hyderabad.

... Respondents

Counsel for the Applicant : Shri.K.Venkateshwar Rao

Counsel For the Respondent : Shri.N.R.Devaraj, Sr.CGSC

CLNAM:

THE HON'BLE JUSTICE SHRI V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

... 2.

QA 123/96.

Dt. of Order: 2-2-96.

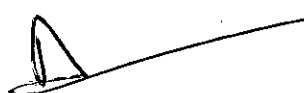
(Order passed by Hon'ble Shri R.Rangarajan,  
Member (A) ).

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The applicant in this O.A. was engaged as Casual Mazdoor with effect from 1-2-92 under the control of Respondent No.1. He continued as such up to 16-5-93 with breaks in between. Thus during the said period, he completed 320 days of Casual Service. He was dis-engaged on 16-5-93 and he was not re-engaged after that date.

2. This O.A. was filed praying for a declaration that the applicant is entitled for re-engagement as Casual Mazdoor under the control of the Telecom District Manager, Anantapur in terms of the various instructions issued by the Director General Telecommunications and also as per Lr.No.TA/LC/1-2/III dt.21-10-91 and Lr.No.TA/RE/20-2/Rlgs/Corr., dt.22-2-93 by the Chief General Manager Telecommunications, Hyderabad, by holding the action of the respondents in not re-engaging him as illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution.

3. The applicant has served the Department earlier and hence his services has to be preferred in preference to freshers from the open market if the casual labourers are to be engaged in future on the basis of the work load. But he was dis-engaged more than a year back and hence the long



absence cannot be condoned.

4. In the result, the following direction is given :-

"The applicant should be re-engaged in the same Unit from which he was disengaged last if there is work in future in preference to freshers from the open market. In case, if the applicant is re-engaged in pursuance of this direction, none who is already in Casual Service will be retrenched."

5. The Original Application is ordered accordingly at the admission stage itself. No order as to costs. //



(R. RANGARAJAN)  
Member (A)

  
(V. NEELADRI RAO)  
Vice-Chairman  
Dy. Registrar (Judl)

Dated: 2nd February, 1996.  
Dictated in Open Court.

avl/

Copy to:-

1. The Telecom District Manager, Anantapur.
2. The Chief General Manager, Telecom Doorsanchar Bhavan, Hyderabad,
3. One copy to Mr. K. Venkateshwar Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. N. R. Devaraj, Sr. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyderabad.
6. One spare copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO  
VICE CHAIRMAN

AND

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

Dated: 2-2-1996

ORDER/JUDGMENT

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

in

O.A.No. 123/96

T.A.No.

(W.p.No.)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions At the

Dismissed. 24/11/96

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

