

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

C.A. No. 126/96

Dt. of Order: 12-2-96.

Between :-

S.M. Krishna Naik

.. Applicant.

AND

1. The Sub-Divisional Officer,
Telecommunication, Dharmavaram.
2. The Telecom District Manager,
Anantapur.
3. The Chief General Manager,
Telecom, Doosanchar Bhavan,
Hyderabad.

.. Respondents.

Counsel for the Applicant : Shri. K. Venkateswara Rao

Counsel for the Respondent : Shri. K. Bhaskara Rao, Addl. CGSC.

CCWAM:

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

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

OA 126/96.

Dt. of Order: 2-2-96.

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

-- -- --

The applicant in this O.A. was engaged as a Casual Mazdoor with effect from 1-8-89 under Respondent No.1. He was continued as such up to 31-10-89. Once again he was re-engaged from 27-2-95 to 20-12-95. Thus he had completed 277 days of Casual Service.

2. This O.A. is 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 issued 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 to be preferred in preference to fresh candidates from the open market, if there is need for re-engagement for casual labourers in future due to work load. As the applicant had completed only 277 days of service which is not a considerable service, the 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 dis-engaged 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. //

one

(R.RANGARAJAN)
Member (A)

Neelam
(V.NEELADRI RAO)
Vice-Chairman

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

Hyd 13-286
Deputy Registrar (J) CC

avl/

To

1. The Sub Divisional Officer, Telecommunication, Dharmavaram.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecom, Deorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.K.Bhaskar Rao, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy spare.

along with
04 copy

pvm

Recd 10/2/1996
31-1-96

16/196

I COURT

TYPED BY

CHECKED BY

COMPARED BY

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.

O.A.No.

126 in
196

T.A.No.

(w.p.No.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

along with OA copies (3)
No spare copy

संघीय अधिकारी अधिकारण
Central Administrative Tribunal

DESPATCH

15 FEB 1996 New

हैदराबाद अधिकारण
HYDERABAD OFFICE