

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

C.A.No. 128/96.

Dt. of Order: 2-2-96.

Between :-

J. Venkata Ramana

.. Applicant.

AND

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

.. Respondents.

Counsel for the Applicant : Shri. K. Venkateswara Rao
Counsel for the Respondent : Shri. N.V. Raghava Reddy,
Addl.CGSC.

CONAM:

THE HON'BLE JUSTICE SHRI V.NEELADRI RAO : VICE-CHAIRMAN
THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

...2.

OA 128/96.

Dt. of Order: 2-2-96.

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

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The applicant was engaged as a Casual Mazdoor on 13-4-92 under Respondent No.1. He was continued in that capacity till 30-4-93 and was dis-engaged after that date. Thereby he had completed 380 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/20-1/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.

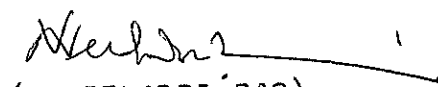
3. The applicant has to be preferred in preference to fresh candidates from the open market, if there is ~~an~~ need for re-engagement for casual labourers in future due to work load. As the applicant had completed only ³⁸⁰~~277~~ days of service which is not a considerable ^{long} service, the ^{long} 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 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. //


(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 Sub-Divisional Officer, Telecommunication, Dharmavaram.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecom, Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr. K. Venkateswara Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. V. Raghava Reddy, Addl, CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

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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. 128/96

T.A.No.

(w.p.No.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions *Ad the*

Dismissed. *Admission Stage*

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No spare copy

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal प्रेषण/DESPATCH 15 FEB 1996 हैदराबाद न्यायपीठ HYDERABAD BENCH
