

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

C.R. 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,
Doosanchar Bhavan, Hyderabad.

.. Respondents.

Counsel for the Applicant : Shri. K. Venkateswara Rao

Counsel for the Respondent : Shri. N.V. Raghava Reddy,
Addl.CGSC.

COMMITTEE:

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

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

...:2.

DA 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/Rigs/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 ~~is~~ need for re-engagement for casual labourers in future due to work load. As the applicant had completed only ~~277~~ ³⁸⁰ days of service which is not a considerable service, the ^{long} absence cannot be condoned.

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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. //

DRS
(R.RANGARAJAN)
Member (A)

Neeladri
(V.NEELADRI RAO)
Vice-Chairman

AmRao
Dy. Registrar (Judl)

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

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Copy to:-

1. The Sub-Divisional Officer, Telecommunication, Dharmavaram.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecom, Doosanchar 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. 128/76

T.A.No.

(W.P.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions ~~of the~~ ^{Admission Stage}
Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No spare Copy

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

प्रेषण/DESPATCH

15 FEB 1996 ^{new}

हैदराबाद शाखा
HYDERABAD BENCH