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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

C.R. No. 129/96.

Dt. of Order: 2-2-96.

Between :-

G. Prasad .. Applicant.
AND
1. The Sub-Divisional Officer,
PHONES, Anantapur.
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.R. Devanji, Sr. CGSC.

COMMITTEE:

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

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

OA 129/96.

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 a Casual Mazdoor on 2-1-91 under Respondent No.1. He continued in that capacity till 2-6-92 and completed 260 days of Casual Service. Thereafter he was not re-engaged.

2. This O.A. is filed praying for 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/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 need for re-engaging any 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 :-

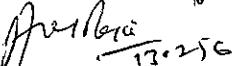
"The applicant should be re-engaged in the same Unit from which he was dis-engaged last if there is work in future in preference to freshers from the open market. In case, if the applicant is re-engaged in pursuance of this direction, none who is already in Casual Service will be retrenched."

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


(R. RANGARAJAN)
Member (A)


(V. NEELADRI RAO)
Vice-Chairman

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


Deputy Registrar (J) CC

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To

1. The Sub Divisional Officer, Phones, Anantapur.
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. N. R. Devraj, Sr. 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(ADMN)

DATED:- 2 - 2 - 1996

ORDER/JUDGMENT.

M.A./R.A/C.A.NO.

in

O.A.No. 129/96

T.A.No. (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.

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केन्द्रीय प्रशासनिक अधिकारक
Central Administrative Tribunal

DESPATCH

15 FEB 1996

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HYDERABAD BENCH