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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION 464 / 96

dt.12-4-96.

P. Venkateswarlu : Applicant

versus

1. Chief General Manager(Telecom)
AP Circle, Doorsanchar Bhavan
Nampally Station Road, Hyderabad

2. The General Manager(Telecom)
Guntur, Guntur district

3. The Telecom District Engineer
Prakasam District
Ongole

4. The Sub-Divisional Officer
Telecom, Ongole
Prakasham District

: Respondents

Counsel for the applicant

: A. Rama Rao, Advocate

Counsel for the respondents

: N.R. Devaraj, CGSC

CORAM

HON. M.R. JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

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(22)

Judgement

(Oral order per Hon. Mr. Justice M.G. Chaudhari, V.C.)

Heard Sri A.V. Rama Rao, learned counsel for the applicant and Sri W. Satyanarayana for Mr. N.R. Devaraj, CGSC for the respondents on notice.

2. The applicant was engaged as Casual Mazdoor in Telecom Department initially ~~in the~~ⁱⁿ the year 1983. He was engaged in spells almost in every following year thereafter till 1989 and the last spell was upto 1993. He was engaged for 26 days in September, 1993. After that spell came to an end, it is stated that the applicant was engaged for full month of January, 1994 against voucher payment. Since the end of January, 94 he ^{has} ~~is~~ ceased to be engaged. According to the applicant the total number of days between 1989 ~~and~~ 1993 worked out to 1546 days. By this application the applicant prays that he may be directed to be ^{granted} ~~engaged~~ on temporary status and regularisation may be given to him in due course on the basis of number of days he has worked as casual labour. Reliance is placed on the order of this Tribunal in OA.1628/95 dated 2-1-96 (in support). It is stated by the applicant that he had filed a representation seeking similar relief to the Telecom District Engineer, Ongole, on 12-10-1995. But no reply has been received by him so far.

3. In the circumstances, we think it appropriate to direct the Respondent No.3 to dispose of the representation applying his mind in particular to the following aspects :

- i) Whether the name of the applicant was kept on live register as Casual Mazdoor having regard to the circumstances.

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✓ to that he was engaged almost continuously although in spells for nearly ten years from 1983 to 1994. Why he has not been reengaged on that basis after January, 1994.

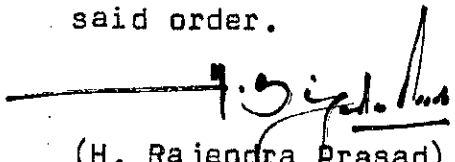
ii) Whether having regard to the number of days the applicant had worked he is entitled to be extended the benefit of the scheme for conferring temporary status and regularisation to him and whether it can be granted.


✓ iii) Whether the name of the applicant may be entered in the current Casual Labour register in which case ^{he} ~~the~~ can be entitled for consideration for regularisation according to his turn.

4. The respondents shall also consider the question of reengaging the applicant immediately if work is available in which case he should be given preference over freshers/juniors. They will also consider whether temporary status/regularisation can be granted to him.


✓ 5. R-3 shall pass an order disposing of the representation in the light of above observations and after taking into consideration the contents of the representation that has been filed by the applicant and convey the decision to the applicant within a period of one month from the date of receipt of the copy of this order.

6. The OA is finally disposed of in terms of the aforesaid order.


(H. Rajendra Prasad)
Member (Admn.)


(M.G. Chaudhari)
Vice Chairman

Dated : April 12, 1996
Dictated in Open Court


Deputy Registrar (CC)

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To

1. The Chief General Manager(Telecom)
A.P.Circle, Doorsanchar Bhavan,
Nampally Station Road, Hyderabad.
2. The General Manager(Telecom)
Guntur, Guntur Dist.
3. The Telecom Dist.Engineer, Prakasam Dist,
Ongole.
4. The Sub Divisional Officer, Telecom,
Ongole, Prakasam, Dist.
5. One copy to Mr.A.Rama Rao, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One sparecopy.

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I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)

Dated: 12-4-1996

ORDER/JUDGMENT

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

O.A.No. 464/96 in

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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NO Spare Copy

