

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 163/96

Date of Order: 9-2-96

Between:

M.A.Qadeer.

.. Applicant

and

1. The Assistant Engineer, Cable Construction
IV, H.No. 6-3-349/9, Dwarakapuri colony,
Hyderabad-482.
2. The General Manager, Telecom Dist.
Hyderabad, At Suryalok Complex,
Abids, Hyderabad-1.
3. The Chief General Manager, Telecom,
A.P. Abids, Hyderabad-1.
4. The Union of India, rep. by the Secretary,
Dept.of Telecommunications, New Delhi-1.

Respondents.

For the Applicant :- Mr. S.L.Narayana, Advocate

For the Respondents: Mr. N.R.Devraj,
Sr./Add. CGSC

CORAM:

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

THE HON'BLE MR.RAANGARAJAN : MEMBER(ADMIN)

OA 163/96.

Dt. of Order: 9-2-96.

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

-- -- --

The applicant in this O.A. was engaged as a Casual Labourer Mazdoor in the year 1985 under the control of Respondent No.1 and served for 8 years from 1-3-85 to 31-1-93. He was discharged from service ^{thereafter.} ~~and~~ as he was in sick list, ^{he} thereafter, he was not engaged.

2. This O.A. filed praying for a direction to the respondents to re-engage him as temporary status mazdoor with backwages and with all consequential service and monetary benefits by granting leave admissible with and without pay and allowances for the period of absense.

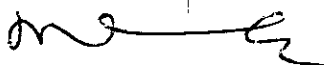
3. The applicant had considerable service as a Casual Labourer. Hence if there is need in future ~~to~~ to engage casual labourer, he will be better suited for such engagement compare to a fresh candidate from the open market. But he was absent for a long time after 31-1-93. Hence ~~this long absence of casual labourer~~ cannot be condoned and hence he will not be entitled for the other reliefs asked for except re-engagement in future if there is work in preference to freshers from the open market.

4. In the result, the following direction is given :-

"The applicant should be re-engaged as a Casual Labourer Mazdoor in future if there is

work in preference to
freshers from the open market
in the Unit he has last worked.
His re-engagement should not
cause any retrenchment to any
of the Casual Labourers
already in service."

5. The O.A. is ordered accordingly at the admission stage
itself. No costs. //



(R. RANGARAJAN)
Member (A)



(V. NEELADRI RAO)
Vice-Chairman

Dated: 9th February, 1996.
Dictated in Open Court.

avl/


Deputy Registrar (J) CC

To

1. The Assistant Engineer,
Cable Construction IVn
H.No.6-3-349/9, Dwarakapuri Colony,
Hyderabad-482.
2. The General Manager, Telecom Dist.
Hyderabad, At Suryalok Complex,
Abids, Hyderabad-1.
3. The Chief General Manager, Telecom,
A.P. Abids Hyderabad-1.
4. The Secretary, Union of India,
Dept. of Telecommunications, New Delhi-1.
5. One copy to Mr. S.L. Narayana, Advocate, CAT. Hyd.
6. One copy to Mr. N.R. Devraj, Sr. CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

pvm

12
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: 9-2-1996

~~ORDER~~ JUDGMENT

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

in

O.A.No.

163/96

~~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.

