

B (2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERAABAD.
OA.No.199/96.

Date of order:14-2-1996.

Between:-

D.Rajmohan Naidu ... Applicant.

And

1. The Sub-Divisional Officer,Telecommunication,
Tadaptri,Anantapur District.
2. The Telecom District Manager,Anantapur
3. The Chief General Manager,Telecommunications,
Deersanchar Bhavan,Hyderabad.
4. The Assistant Engineer(Cross Bar)Anantapur.

... Respondents.

Counsel for the Applicant:Mr.K.Venkateswara Rao

Counsel for the Respondents:Mr.K.Bhaskar Rao,CGSC.

CORAM:

HON'BLE MR.JUSTICE V.NEELADRI RAO,VICE CHAIRMAN

HON'BLE SHRI R.RANGARAJAN,MEMBER ADMINISTRATIVE.

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DA.199/96

Judgement

(As per Hon. Mr. R. Rangarajan, Member (Admn.))

Heard Sri K. Venkateswara Rao, learned counsel for the applicant and Sri K. Bhaskar Rao, learned counsel for the respondents.

2. The applicant in this DA was engaged as Casual Mazdoor from 1-8-86 under R-1. He was continued in that capacity upto 31-5-1987. Thus he had completed 300 days of service during the above period. Thereafter he was not reengaged.

3. This DA is filed praying for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of the Telecom District Manager, Anantapur, in terms of the various instructions issued by the Director General, Telecommunication and also as per the Lr.No.TA:LC:1-2/III dated 21-10-1991 and Lr.NO.TA:RE:2D-2/Rlgs/Corr. dated 22-2-1991 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.

4. As the applicant has got previous experience he has to be preferred if there is work in future and if there is need to engage casual mazdoors. But his long absence after 1987 cannot be condoned.

..2.



Copy to:-

1. The Sub-Divisional Officer, Telecommunication, Tadpatri, Anantapur District.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunications, Doorsanchar Bhavan, Hyderabad.
4. The Assistant Engineer (Cross Bar), Anantapur District.
5. One copy to Mr. K. Venkateswara Rao, Advocate, C.A.T. Hyderabad.
6. One copy to Mr. K. Bhaskar Rao, CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

kku.

5. In the result the following direction is given :

The applicant should be reengaged if there is work in future in preference to freshers ^{from} in the open market in the same unit from which he was disengaged. ^{last}.

If in pursuance of this order he is going to be re-engaged, none of the casual labour who is already in service shall be retrenched.

6. The DA is ordered accordingly ^{at} the admission stage itself. No costs. //

(R. Rangarajan)
Member (Admn.)

(V. Neeladri Rao)
Vice Chairman

Dy. Registrar (Judl)

Dated : February 14, 96
Dictated in Open Court

Copy to:-

1. General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. Chief Personnel Officer, South Central Railways, Rail Nilayam, Secunderabad.
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3. Deputy Chief Mech. Engineer, Carriage Repair Shop, Settupalli Post, Tirupathi, Chittoor Dist.
4. One copy to Mr. K. Sudhakar Reddy, Advocate, CAT. Hyd.
5. One copy to Mr. J. R. Gopal Rao, Standing Counsel for Rlys, CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

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p.t.o.

Handwritten signature

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DA. 199/96

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I COURT

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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: 14-2-1996

~~ORDER/JUDGMENT~~

M.A./R.A./C.A.No. 7

O.A.No. 199/96

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.

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
दिल्ली
27 FEB 1996
HYDERABAD BENCH
No spare copy

With O.A. Copy

C.O.
pt. Chavan
Munshi

20/2/96