

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 204/96

Date of Order: 16-2-96

Between:

M.Satyanarayana.

.. Applicant.

and

1. The Telecom District Manager,
Anantapur.
2. The Chief General Manager,
Telecommunications,
Doorsanchar Bhavan, Hyderabad.
3. The Assistant Engineer,
Transmission, Project,
Anantapur.

Respondents.

For the Applicant :- Mr. K.Venkateswar Rao, Advocate

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

CORAM:

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

THE HON'BLE MR.RARANGARAJAN : MEMBER(ADMN)

JUDGEMENT

Dt: 15.2.96

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Shri K.Venkateswara Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant in this OA was engaged as Casual Mazdoor with effect from 3.5.91 under the control of R-3 and R-1. He was continued as such upto 31.1.91 with ^{q2} breaks. During that period, he had completed 280 days of casual service.

3. This OA is filed praying for 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, Telecom and also as per the Lr.No.TA/LC/1-2/III, dt.21.10.91 and Lr.No.TA/RE/20-2/Rlgs/Corr., dt.22.2.93 issued by the Chief General Manager, Telecommunications, Hyderabad by holding the action of the respondents in not reengaging him as illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the constitution of India.

4. As the applicant was engaged after issue of the letter dated 15.6.88 wherein the Telecom units in DoT were instructed to engage even casual labour only through the Employment Exchange, he cannot claim to be engaged if there are enough candidates supplied by the Employment Exchange. But as he has got experience in the Department, he should



be engaged in future if there is work and if no candidate sponsored by the Employment Exchange is available. As the number of days he had put in is very low, his long absence cannot be condoned.

5. In the result, the following direction is given:

The applicant should be reengaged if there is work in future in the same unit from which he was last retrenched in preference to freshers who are not sponsored by the Employment Exchange. If he is going to be reengaged in pursuance of this direction, none who is already in casual service will be disengaged.

6. The OA is ordered accordingly at the admission stage. No costs. //

One

(R.RANGARAJAN)
MEMBER (ADMN.)

Neeladri
(V.NEELADRI RAO)
VICE CHAIRMAN

Dated: 15th February, 1996
Open court dictation.

Ans. Regd. 16-2-96
Deputy Registrar(J)CC

vsn

To

1. The Telecom District Manager,
Anantapur.
2. The Chief General Manager, Telecommunications,
Doorsanchar Bhavan, Hyderabad.
3. The Assistant Engineer, Transmission,
Project, Anantapur.
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.

pvm.

9/13/96
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: 15-2-1996

~~ORDER/JUDGMENT~~

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

in
O.A.No. 204/96

T.A.No. (w.p.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn. *at the admission stage*

Dismissed for default.

Ordered/Rejected.

No order as to costs.

NO Space for copy

*Pls note
copy is sent*

केन्द्रीय प्रशासनिक अंदिकरण
Central Administrative Tribunal

ट्रैष्ण/DESPATCH

29 FEB 1996 *Abu*

हैदराबाद आयणीठ
HYDERABAD BENCH