

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

C.R. No. 205/96

Dt. of Order: 15-2-96.

Between :-

K.Nagendra

... Applicant

AND

1. The Telecom District Manager, Anantapur.
2. The Chief General Manager Telecommunications, Doosanchar Bhavan, Hyderabad

... Respondents

Counsel for the Applicant : Shri. K.Venkateswara Rao

Counsel for the Respondent : Shri. N.R.Devaraj, Sr.CGSC

CO-CHAM:

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

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

... 2.

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 3.5.94 under R-1. He was continued as such upto 26.9.95 with breaks. During that period, he had completed 262 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, Nizamabad 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/Rigs/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.

*Corrected  
An Amritpur  
instead of  
Nizamabad  
7/5/96*

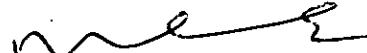
4. As the applicant has already worked in the Department, he has to be preferred compared to freshers from open market, if there is work in future. But his long absence cannot be condoned.

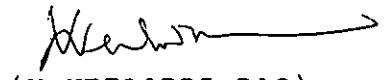
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5. In the result, the following direction is given:

The applicant should be engaged in the same unit from which he was disengaged last if there is work in future in preference to freshers from the open market. If in pursuance of these directions, the applicant is going to be reengaged, no one who is already in casual service will be retrenched.

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

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

  
(V. NEELADRI RAO)  
VICE CHAIRMAN

Dated: 15th February, 1996  
Open court dictation.

  
vsn

Copy to:-

1. The Telecom District Manager, Anantapur.
2. The Chief General Manager Telecommunications, Doosanchar Bhavan, Hyderabad.
3. Sri K. Venkateswara Rao, counsel for the applicant
4. Sri N.R. Devaraj, Sr. Standing counsel for the Respondents
5. Library
6. Spare copy

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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: N-2 -1996

ORDER/JUDGMENT

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

In

O.A.No. 205/96

T.A.No.

(w.p.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions at the Admission Stage  
Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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