

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.206/96

Between:

Date of Order: 15.2.96.

M.Nagaraju

...Applicant.

And

1. The Sub Divisional Officer,
Telecommunication,
Dharmavaram, Ananthapur District.
2. The Telecom District Manager,
Ananthapur.
3. The Chief General Manager,
Telecommunications,
Doorsanchar Bhavan,
Hyderabad.

...Respondents.

Counsel for the Applicant : Mr.K.Venkateswar Rao

Counsel for the Respondents : Mr.N.V.Ramana, CGSC.

CORAM:

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

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

contd...

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.V.Ramana, learned standing counsel for the respondents.

2. The applicant in this OA was engaged as Casual Mazdoor with effect from 15.4.81 under R-1. He was continued as such upto 26.5.84 with breaks. During that period, he had completed 550 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.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 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.

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

(200) (3)

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.

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(R.RANGARAJAN)
MEMBER (ADMN.)

Blank
(V.NEELADRI RAO)
VICE CHAIRMAN

Dated: 15th February, 1996
Open court dictation.

vsn

Prakash
DEPUTY REGISTRAR (J)

To

1. The Sub Divisional Officer, Telecommunication, Dharmavaram, Ananthapur District.
2. The Telecom District Manager, Ananthapur.
3. The Chief General Manager, Telecommunications, Doosanchar Bhawan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr.N.V.Ramana, Addl.CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

YLKR

13/26 (6)

I COURT

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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: 15-2-1996

ORDER/JUDGMENT

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

in

O.A.No. 206/96

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.

No Space Copy

केन्द्रीय अशासनिक अधिकार Central Administrative Tribunal डेप्यूटी/DESPATCH 29 FEB 1996 <i>MD</i>
हैदराबाद बैचरी HYDERABAD BENCH