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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD.

OA.No.208/96.

Date of order:15.2.96.

Between:-

L.Raghupathy Reddy Applicant.

And

1. The Sub Divisional Officer, Telecommunication, Mancherial.
2. The Telecom District Manager, Nizamabad.
3. The Chief General Manager, Telecommunications, Deorsanchar Bhavan, Hyderabad.
4. The Telecom District Engineer, Adilabad.

... Respondents.

Counsel for the Applicant: Mr.K.Venkateswara Rao

Counsel for the Respondents: Mr.V.Rajeshwara Rao.

CORAM:

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

HON'BLE SHRI R.RANGARAJAN, MEMBER ADMINISTRATIVE.

O.A.NO.208/96

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 V.Rajeswara Rao, learned standing counsel for the respondents.

2. The applicant in this OA was engaged as Casual Mazdoor with effect from 1.11.75 under R-1. He was continued as such upto 29.9.76 with breaks. During that period, he had completed 290 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/20-12/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.

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. //

M S
(R.RANGARAJAN)
MEMBER (ADMN.)

V.NEELADRI RAO
(Vice Chairman)

A. B. Rao
Dy. Registrar (Judl)

Dated: 15th February, 1996
Open court dictation.

vsn

Copy to:-

1. The SubDivisional Officer, Telecommunication, Mancherial.
2. The Telecom District Manager, Nizamabad.
3. The Chief General Manager, Telecommunications, Deorsanchar Bhavan, Hyderabad.
4. The Telecom District Engineer, Adilabad.
5. One copy to Mr. K. Venkateswara Rao, Advocate, CAT, Hyd.
6. One copy to Mr. V. Rajeshwara Rao, CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

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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.

O.A.No. 208/96

T.A.No.

(W.P.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions. At the a. of the date.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered Rejected.

No order as to costs.

No Spec. Copy

केन्द्रीय प्रशासनिक अधिकारण Central Administrative Tribunal प्रेषण/DESPATCH
27 FEB 1996
हृदयवाद पायीन HYDERABAD BENCH