

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.493/96

Date of Order: 22.4.96

BETWEEN:

G.Venkata Ramana .. Applicant.

A N D

1. The Sub Divisional Officer, Phones, Anantapur.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunications, Doorsanchar Bhavan, Hyderabad.
4. The Sub Divisional Officer, Telecommunication, Tadpatri. .. Respondents.

Counsel for the Applicant .. Mr.K.Venkateswara Rao

Counsel for the Respondents .. Mr.K.Bhaskara Rao

CORAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

J U D G E M E N T

As per Hon'ble Shri R.Rangarajan, Member (Admn.)

The applicant in this OA was appointed as casual mazdoor under R1 w.e.f. 31.1.83. He worked in that capacity upto 6.12.84 with artificial breaks. During that period he had completed about 250 days of casual service. Thereafter he was not reengaged.

2. This OA 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.

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TA/LC/1-2/III, dated 21.10.91 and Lr.No.TA/RE/20-2/Rlgs/
 Corr. dated 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.

3. The applicant had gained some knowledge because
 of ^{his} previous working in the department. Hence he will be a
 better substitute for reengagement if ~~there~~ is work in
 preference to freshers from the open market. Since the
 applicant has been disengaged wayback on 6.12.84 the
 long absence from that date till today cannot be condoned.
 In the result the following direction is given:-

4. The applicant should be reengaged if there is
 work in future in preference to freshers ~~from~~ the open market
 in the same seniority unit from where he was last disengaged.
 If the applicant is going to be reengaged in pursuance of
 the above direction none of the casual labourers who are
 already in casual service ~~should~~ be disengaged.

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

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 (R.RANGARAJAN)
 Member (Admn.)

Dated: 22 nd April, 1996

(Dictated in Open Court)

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Ably 65-96
 Dy. Registrar(S)

contd ..

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O.A. NO. 493/96

COPY TO:

1. The Sub Divisional Officer,
Phones,
Ananthapur.
2. The Telecom District Manager,
Ananthapur.
3. The Chief General Manager,
Telecommunications,
Deersanchar Bhavan,
Hyderabad.
4. The Sub Divisional Officer,
Telecommunications,
Tadipatri.
5. One copy to Mr.K.Venkateswar Rao, Advocate,
CAT, Hyderabad.
6. One copy to Mr.K.Bhaskara Rao, Addl.CGSC,
CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One duplicate copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M&A)

22/4/96
DATED: 493/96

ORDER/JUDGEMENT

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

IN
R.A. NO. 493/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

No Spare (copy)

