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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.518/96 dt.25-4-96

Between

T. Nagendra Prasad : Applicant

and

1. Sub Divnl. Officer
Telecommunications
Dharmavaram

2. The Telecom District Manager
Anantapur

3. The Chief General Manager
Telecommunications
Doorsanchar Bhavan
Hyderabad

Sub Divnl. Officer
Telecommunications
Tadpatri : Respondents

Counsel for the applicant : K. Venkateswara Rao
Advocate

Counsel for the respondents : N.R. Devaraj, Sc. CGSC

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

Judgement

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn))

Heard Sri K. Venkateswarlu, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. The applicant in this OA was engaged as Casual labour from 22-7-1980 under Respondent 1. He was continued in that capacity till 30-6-1982 with artificial breaks. Thereafter he was not engaged. During the period from 22-7-1980 to

..2.

(26)

30-6-1982 he had completed 538 days of casual labour submitted the learned counsel for the applicant.

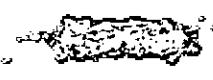
3. This OA is filed praying for a direction to the respondents that the applicant is entitled for reengagement as Casual Mazdoor under the control of the Telecom District Manager, Anantapur, in terms of the various instructions issued by the Director General, Telecommunications and also as per the letter No.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, Telecom, 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.

4. The applicant had gained some experience in work of the Department because of his previous service as casual labour. Hence, he should be preferred for engagement in future if there is work in preference to freshers from the open market. But his long absence after 30-6-82 cannot be condoned.

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

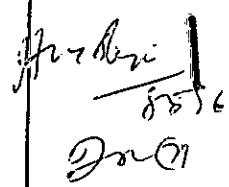
The applicant should be engaged as casual mazdoor in future if there is work in preference to freshers from the open market in the unit from which he was last retrenched. If in pursuance of this order he is going to be reengaged none of the casual labours who are already in casual service shall be retrenched.

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


(R. Rangarajan)
Member (Admn.)

Dated : April 25, 96
Dictated in Open Court

sk


J. R. Rangarajan
85/6
Dated

928

: 3 :

Copy to:-

1. Sub Divisional Officer, Telecommunications, Dharmavaram.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecommunications, Deersancher Bhavan, Hyderabad.
4. Sub Divisional Officer, Telecommunications, Tadpatri.
5. One copy to Sri. K.Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

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COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 25/4/96

ORDER/JUDGEMENT

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

B.A. NO.

IN
5/8/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

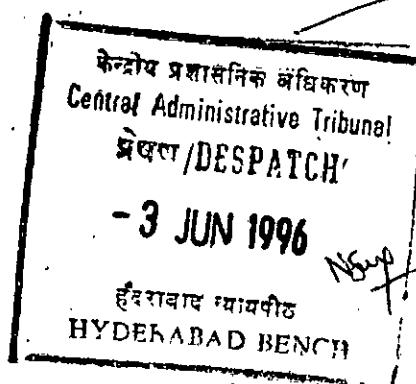
DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

* * *

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