

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 521/96.

Dt. of Decision : 24-04-96.

K. Madana Mohana Reddy

.. Applicant.

Vs

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

.. Respondents.

Counsel for the Applicant : Mr. K. Venkateswara Rao

Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

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

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O.A. 521/96.

Dt. of Decision : 24-04-96.

ORDER

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

The applicant in this OA was engaged as Casual Mazdoor w.e.f., 27-08-1982 under R-4. He continued in that capacity till 31-01-1985 with artificial breaks in between. He submitted that during that period he completed 290 days of casual service. After 31-01-1985 he was not re-engaged.

2. This OA is filed praying for a declaration that the applicant is entitled for re-engagement 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 Lr.No.TA/LC/1-2/III, dated 21-10-1991 and Lr.No.TA/RE/20-2/Rlgs./Corr., dated 22-02-1993 issued by the Chief General Manager Telecommunications, Hyderabad by holding the action of the respondents in not re-engaging him as illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution.

3. ^{and} The applicant ~~had~~ worked in the department for about 290 days had acquired some knowledge in regard to working of the department. Hence, he has ^{to be} ~~preferred~~ if there is work in future in preference to freshers from the open market. But his long absence after 31-10-1985 cannot be condoned.

4. In the result, the following direction is given:-

The applicant should be re-engaged as a Casual Mazdoor if there is work in future in preference to freshers from the open market in the unit from which he was last retrenched.

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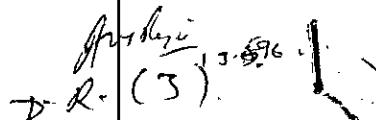
In pursuance of this order is going to be re-engaged none of the casual labourers who were already in casual service shall be retrained.

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



(R. Rangarajan)
Member (Admn.)

Dated : The 24th April 1996.
(Dictated in Open Court)


R. (3) 1996

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O.A.521/96.

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Copy to:-

1. The Sub Divisional Officer, Telecommunications, Tadpatri.
2. The Telecom District Manager, Anantapur.
3. The Chief General Manager, Telecom, Doorsanchar Bhawan, Hyderabad.
4. The Sub Divisional Officer, Phones, Anantapur.
5. One copy to Sri. K.Venkateshwar 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.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : MCA

DATED: 24/4/96

ORDER/JUDGEMENT

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

R.A. NO.

IN
521/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

No Spare Copy

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
DESPATCH
- 3 JUN 1996 NEW
हैदराबाद बैठकाली
HYDERABAD BENCH