

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

D.A. NO.542 of 1996.

Between

Dated: 26.4.1996.

P.V. Subrahmanyam

...

Applicant

And

1. The Sub Divisional Officer, Telecommunications, Jangareddygudem.
2. The Telecom District Manager, Eluru.
3. The Chief General Manager, Telecommunication, Doosanchar Bhavan, Hyderabad.

... Respondents

Counsel for the Applicant : Sri. K. Venkateshwar Rao

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

CORAM:

Hon'ble Mr. R. Rangarajan, Administrative Member

Contd: ... 2/-

6.A. 542/96.

Dt. of Decision : 26-04-96.

ORDER

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

Heard Shri K.Venkateswara Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned counsel for the respondents.

2. The applicant in this OA was engaged as Casual from Mazdoor on 01-08-1980 and he was continued in that capacity till 31-12-1984 with artificial breaks in between. Thereafter he was not re-engaged. During that period he was engaged as casual mazdoor ~~it is stated that~~ he had put in 810 days of ^{casual} service.

3. This OA is filed praying for a direction to the respondents that the applicant is entitled for re-engagement as Casual Mazdoor under the control of the Telecom District Manager, Eluru in terms of the various instructions issued by the Director General, Telecommunications and also as per the Lr.No.TA/LC/1-2/III, dated 21-10-1991 and Lr.No.TA/RE/20-2/Rlgs/Cerr., dated 22-2-1993 issued by the Chief General Manager, Telecommunications, Hyderabad by holding the action of the respondents in not re-engaging him as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution.

4. The applicant has worked earlier in the department and thereby he had gained some experience. Hence he has to be preferred in preference to the freshers from the open market.

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But his long absence from 01-01-1985 cannot be condoned.

In the circumstances, the following direction is given:-

The applicant should be re-engaged if there is work in preference to freshers from open market in future vacancies in the same Unit from which he was retrenched last. If in pursuance of this order, the applicant is going to be re-engaged, none of the Casual Labourers, who are already in Camel service will be retrenched.

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

On
(R. Rangarajan)
Member (Admn.)

Dated : The 26th April 1996.
(Dictated in Open Court)

Ans
T. T. T.
On

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Copy to:-

1. The Sub Divisional Officer, Telecommunications, Jangareddygudem
2. The Telecom District Manager, Eluru.
3. The Chief General Manager, Telecommunication, Deoranchar Bhawan, Hyderabad.
4. One copy to Sri. K. Venkateshwar Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rem/-

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 26/4/96

ORDER/JUDGEMENT

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

B.A. NO.

IN
S 42/96

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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