

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

16

ORIGINAL APPLICATION NO.555/96

DATE OF ORDER : 4-9-1997

Between :-

Md. Mumtaz

.. Applicant

And

1. The District TelecomEngineer,  
Adilabad District.,  
Dept. of Telecommunications,  
Govt. of India, Adilabad (AP).
2. The Asst. Engineer (Groups),  
Dept. of Telecommunications,  
Bhainsa,  
Dist: Adilabad (AP).

.. Respondents

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Counsel for the Applicant : Shri P.Naveen Rao

Counsel for the Respondents : Shri N.V.Raghava Reddy, CGSC

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CORAM:

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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Heard Sri Phani Raj for Sri P.Naveen Rao, counsel for the applicant and Sri W.Satyanarayana for Sri N.V.Raghava Reddy, learned standing counsel for the respondents.

2. The applicant was initially engaged as Casual Mazdoor on 1-12-93 in the Office of Respondent No.2. He continued in service till 25-7-95. During that period from 9-2-95 he was called to do manual work on Daily Wage basis <sup>intermittently</sup> for the period he worked. ~~inter-~~ ~~etc.~~ The total number of days ~~that~~ he was engaged during that period was 325~~days~~ only. Nowhere it is stated that he worked for more than 240 days in a year during that period. After July, 1995, the applicant was not engaged. It is submitted by the applicant that no reason was given for his dis-engagement.

3. This O.A. is filed praying for a direction to the respondents to re-instate him by holding the oral termination as illegal, arbitrary and discriminatory ~~and~~ with all consequential benefits.

4. No reply has been filed in this O.A.

5. Standing counsel for the Respondents submits that the applicant has submitted a representation dt.2-9-95 (Annexure-A-II to the O.A) and a direction may be given to dispose of that representation.

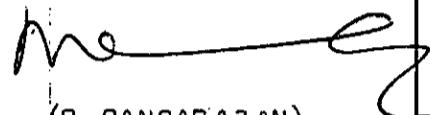
6. The applicant was away from service for over two years by now, though he has filed this O.A. on 26-4-96. It is also not noted in the O.A. affidavit that he had worked/more than 240 days either in a calander year or in a financial year during

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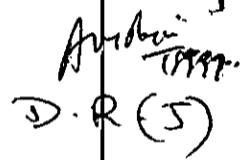
the period he was engaged as casual labourers. In view of the above, there is no other alternate to me except to direct Respondent No.1 to dispose of the representation dt.2-9-95 in accordance with the Law within a period of 3 months from the date of receipt of a copy of this order.

7. With the above direction, the O.A. is disposed of. No order as to costs.



(R.RANGARAJAN)  
Member (A)

Dated: 4th September, 1997.  
Dictated in Open Court.

  
Ambar  
D.R (S)

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Copy to:

1. The District Telecom Engineer, Adilabad District, Dept. of Telecommunications, Govt. of India, Adilabad.
2. The Asst. Engineer, (Groups), Dept. of Telecommunications, Bhainsa, Adilabad District.
3. One copy to Mr. P. Naveen Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC, CAT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

27/9/97

(6)

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R.R. AGARAJAN : M (M)

AND

THE HON'BLE SHRI B.S. JAI PARESHWAR :  
(M) (M)

Dated: 4/9/97

ORDER/JUDGEMENT

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

in

C.A.NO. 555/96

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

