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CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

ORIGINAL APPLICATION NO. 633 of 1996

Date of decision: 14-6-96

S. Gurumurthy APPLICANT(S)

..... Versus
Sub Divisional Officer, Telecommunication
Madanapalli and two others.

..... RESPONDENT(S)

FOR INSTRUCTIONS

1. Whether it be referred to the Reporters NO or not?
2. Whether it be circulated to all the Benches of C.A.T. or not? NO

R. Rangarajan
(R. Rangarajan)
Member (Admn.)

M.G. Chaudhari
(M.G. Chaudhari)
Vice Chairman/Member (.....)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.633/96

dt. 14-6-96

Between

S. Gurumurthy : Applicant

and

1. Sub Divnl. Officer
Telecommunication
Madanapalli

2. The Telecom District Manager
Tirupathi

3. The Chief General Manager
Telecommunications
Doorsanchar Bhavan
Hyderabad

: Respondents

Counsel for the applicant

: K. Venkateswara Rao
Advocate

Counsel for the respondents

: K. Bhaskar Rao
Addb. CGSC

CORAM

HON. MR. JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

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

Judgement

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

Heard Sri K. Venkateswara Rao for the applicant and
Sri K. Bhaskar Rao, for the respondents.

2. The applicant was initially engaged as Casual mazdoor under the control of R-1 with effect from 1-1-1979. He was continued as such till 29-7-1980 when he was disengaged from Casual Mazdoor. During the period he worked as Casual mazdoor it is stated that he had put up 580 days casual service.

..2.



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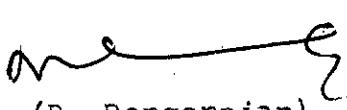
3. This OA is filed praying for declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of the Telecom District Manager, Tirupati, in terms of the various instructions issued by the Director General, Telecommunications and also as per the Lr.No.TA/LC/1-2/III, dated 21-10-91 and Lr.No.TA/Re/20-2/Rlgs/Corr., dated 22-2-1993 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.

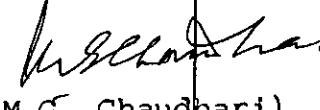
4. The applicant has gained some knowledge in regard to work of the Department because of his previous experience; hence he may be reconsidered a better suited if there is need to engage Casual labour in preference to the freshers from the open market. But his long absence after 29-7-1980 cannot be condoned.

5. In view of the above the following direction is given: The applicant shall be engaged as Casual Labour in future if there is work and need to engage Casual Labour in preference to freshers from the open market in the unit from which he was last disengaged. However, he cannot claim the benefit of ^{his} past service. If in pursuance of this order he is going to be reengaged none of the Casual labours who are already in service shall be disengaged.

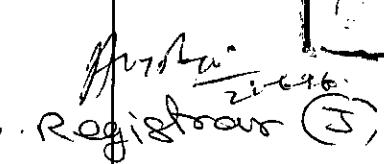
6. Mr. K. Bhaskar Rao to file memo of appearance.

7. The OA is ordered accordingly, at the admission stage. No costs.


(R. Rangarajan)
Member (Admn.)


(M.G. Chaudhari)
Vice Chairman

Dated : June, 14, 96
Dictated in Open Court


Dy. Registrar (J)

sk

Contd ---

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3.3..

O.A. NO.633/96

Copy to:

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

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

Handwritten signature of Justice M.G. Charyanayagi
THE HON'BLE SHRI R.RANGARAJAN: M(A)

DATED: 14/6/96

ORDER/JUDGEMENT
O.A. NO./R.A/C.P. No.

in
O.A. NO. 633/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOZED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLR

II COURT

No Spare Copy

also OA copy

फैसले प्रसासनिक विभाग
Central Administrative Tribunal, Hyderabad
DISPATCH

- 1 JUL 1996

हैदराबाद न्यायालय
HYDERABAD BENCH