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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH

AT HYDERABAD.

..
O.A.No.873/96.

Date of decision: 10th December, 1997.

..

Between:

M. Lakshmana Rao. .. Applicant.

And

1. The Telecommunications District Engineer, Srikakulam, Srikakulam Dt.
2. The Chief General Manager, Telecom, A.P.Circle, Hyderabad. .. Respondents.

Counsel for the applicant: Sri M. Keshava Rao.

Counsel for the respondents: Sri N.R.Devaraj.

CORAM:

Hon'ble Sri H. RAJENDRA PRASAD, (A)

Hon'ble Sri B.S. JAI PARAMESHWAR, Member (J)

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JUDGMENT.

(per Hon'ble Sri B.S. Jai Parameshwar, Member (J))

Heard Sri M. Keshava Rao, the learned counsel for the applicant and Sri N.R. Devaraj, the learned standing counsel for the respondents.

The applicant herein claims to have worked for a period of 762 days as a casual mazdoor from 1973 to August, 1991. He submits that he was orally terminated from the service. Hence he has filed this O.A., for a direction to the respondents to reengage him as a casual mazdoor.

The respondents have filed their counter stating that the applicant was engaged from June 1974 to July 1974 (61 days) and from November 1974 to June 1975 (183 days), that the applicant left the work from July, 1975 onwards and thereafter submitted a representation on 25-1-1996 for re-engagement and the ^{same} was replied on 27-3-1996 stating that he cannot be re-engaged as there are long periods of absence. They further stated that the principle enunciated by the Hon'ble Supreme Court in RAM GOPAL & OTHERS vs. UNION OF INDIA is not applicable to the case on hand.

The applicant claims to have worked for ^{a period of} more than 762 days whereas the respondents state that he had worked only for 61 days from June 1974 to July 1974 and 183 days from November, 1974 to June 1975 altogether 244 days.

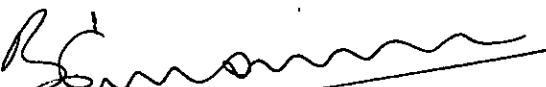
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The actual number of days worked by the applicant had to be verified by the respondents from their official records.

The applicant shall produce the necessary documents in support of his contention that he had worked 626 days and he is eligible for re-engagement as casual labourer.

In case, the applicant satisfies the respondents, then the respondents may consider his case for re-engagement in preference to his juniors and the outsiders procured from open market.

With the above observations, the O.A., is disposed of. There will be no order as to costs.



B.S.JAI PARAMESHWAR,

MEMBER (J)

(S.129)

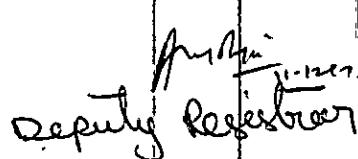


H.RAJENDRA PRASAD,

MEMBER (A)

Date: 10--12--1997.

Dictated in open Court



Deputy Registrar

SSS.

O.A.873/96.

To

1. The Telecommunications District Engineer,
Srikakulam, Srikakulam Dist.
2. The Chief General Manager, Telecom,
A.P.Circle, Hyderabad
3. One copy to Mr.M.Kesava Rao, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC. CAT.Hyd.
- 5 One copy to HBSJP.M(J) CAT.Hyd.
6. One copy to D.R.(A) CAT.Hyd.
7. One spare copy.

pvm.

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I Court
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE
VICE-CHAIRMAN
AND

THE HON'BLE MR.H.RAJENDRA PRASAD: M(A)
The Hon'ble Mr. B.S.Jaiparameswar, M(G)

DATED: 10-12-1997

ORDER/JUDGMENT:

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

in
O.A.No. 873/96

T.A.No.

(W.P.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

