

21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 890/96
SR 1890/96

Date of order : 5.7.96

Between

1. N.Chandrasekhar Rao
2. V.Pakkeriah
3. H.Subba Rao
4. P.Parameswara Reddy
5. V.Anjaneyulu
6. U.Rajasekhar
7. P.Venkatesan

.. Applicants

And

1. The Telecom. Commission,
Rep. by Chairman,
Telecommunications,
New Delhi.
2. The Director-General,
Telecommunications,
New Delhi.
3. The Chief General Manager,
Telecommunications,
A.P.Circle, Abids,
Hyderabad.
4. The Dy. Genl. Manager(Admn),
O/o the CGMT,
Telecommunications,
A.P.Circle, Abids,
Hyderabad.

.. Respondents

Counsel for the Applicants .. Shri V.Venkateswara Rao

Counsel for the Respondents .. Shri N.R.Devaraj,
Sr. CGSC

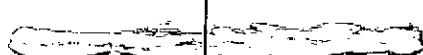
C O R A M

Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman *W.M.*

Hon'ble Shri H.Rajendra Prasad : Member(A) *Q* *150*

Order

(Per Hon'ble Shri Justice M.G.Chaudhari, Vice-Chairman)

The 7 applicants who had been working as casual labourers and now disengaged, claim benefit of the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1989. Whether each of the applicant is entitled to get benefit of the scheme is a factual question which the authorities concerned are required to examine. The applicants continue to be engaged even till today and it is merely their apprehension that acting on the letter dated 31.7.95 of the Chief General Manager, Telecommunications, A.P.Circle, Hyderabad, they may be disengaged. In a similar situation in O.A.No.777/96 we had indicated that casual labourers like the applicants may fall under 3 categories, namely those who were employed prior to 1.10.89, those who were employed upto 10.9.93 and those who were employed after 10.9.93. On that basis their eligibility is to be considered under the scheme with reference to each applicant taking into account facts relating to that applicant. 



2. Hence we are inclined to grant leave to the applicants to individually submit representations to the respondents for seeking the benefit of the scheme for grant of temporary status and regularisation and invite a decision from the respondents in that behalf. We need not add that in the event of their claim being rejected, the concerned applicant will be at liberty to agitate his grievance by adopting appropriate legal remedies. If such eventuality occurs, it will be easy to determine the case of the applicants ⁱⁿ ~~in~~ with reference to the replies given by the respondents.

3. Next, coming to the question of interim stay of disengagement, we think that since we are leaving it open to the applicants to file representations, it will be just and fair to direct the respondents not to dis-engage the applicants till the representations are disposed of and for a reasonable period thereafter.

Hence the following order:

- (i) It is left open to the applicants to file individual representations to the respondents through concerned authority for relief in the light of what is discussed herein above subject to the conditions viz: he shall have been factually working as on today and secondly the representation is filed within a period of 6 weeks from today;
- (ii) Each applicant will be required to file individual representation and leave is granted only to that extent and not to file a joint representation by more than one of the applicants.
- (iii) On the representation ~~being~~ received from any one of the applicants or all of them by the respondent in the respective places within the period

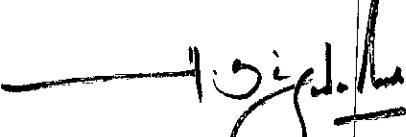
stipulated herein above, the authority concerned shall examine the matter and take a decision as to whether benefit of the scheme can be extended to the applicant and if not, record brief reasons in support of that decision.

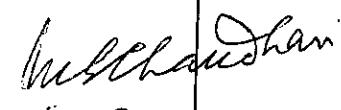
A copy of the decision shall be supplied to the applicant.

(iv) The representations to be decided as early as possible preferably within a period of two months from the date of filing of the representation.

(v) The respondents are directed that the applicant who files a representation within the stipulated time shall not be dis-engaged until a period of 2 weeks expires after the decision on the representation in the event of its rejection is communicated to the said applicant. The direction to stand automatically vacated after that period.

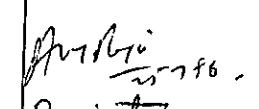
4. With the above observations, the O.A. is disposed of. No order as to costs.


(H. Rajendra Prasad)
Member (A).


(M.G. Chaudhary)
Vice-Chairman.

Dated: 15.7.1996.
Dictated in Open Court.

br.


Deputy Registrar (J)

O.A.890/96.

To The Chairman,

1. The Telecom Commission,
Telecommunications, New Delhi.

2. The Director General,
Telecommunications,
New Delhi.

3. The Chief General Manager,
Telecommunications,
A.P.Circle, Abids, Hyderabad.

4. The Deputy General Manager(Admn.)
O/o the CGMT, Telecommunications,
A.P.Circle, Abids, Hyderabad.

5. One copy to Mr.V.Venkateswar Rao, Advocate, CAT.Hyd.

6. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.

7. One copy to Library, CAT.Hyd.

8. One spare copy.

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Q/5/92
I COURT

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE M.G.CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

Dated: 15-7-1996

ORDER/JUDGMENT

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

in-

O.A.No. 895/96

T.A.No. (W.P.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

