

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

D.A. No. 1293/94.

Dt. of Decision : 21.10.94.

Bheem Raj

.. Applicant.

Vs

1. The Sub Divisional Officer,  
Phones, Nizamabad.
2. The Telecom District Engineer,  
Nizamabad.
3. The Chief General Manager,  
Telecommunication,  
Doorsanchar Bhavan,  
Hyderabad.

.. Respondents.

Counsel for the Applicant : Mr. K. VENKATESWARA RAO

Counsel for the Respondents : Mr. N.R. DEVARAJ, Sr. CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

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

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(Venkateswararao)

Advocate

JUDGMENT

I. As per Hon'ble Sri R.Rangarajan, Member(Administrative),

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

2. The applicant pleads that he was initially engaged as Casual Mazdoor under the control of the respondents with effect from 13.10.1983 to 30.11.1984 and thereafter he was engaged periodically i.e. from 1.1.1985 to 31.3.1985; 1.3.1986 to 30...1986; from 1.12.1987 to 31.3.1988 and lastly from 1.3.1989 to 31.5.1989. Thereafter his services were terminated and later he was not re-engaged. This O.A. has been filed praying for a declaration that the applicant is entitled for reengagement as Casual Mazdoor under the control of Telco. District Engineer, Nizamabad in terms of the instructions issued by the Director General, Telecommunication and also as per the Lr.No.TA/LC/1-2/III dt. 21.10.1991 and Lr.No.TA/LC/Rly./Corr. dt. 22.2.1993 issued by R-3, by holding that the action of the respondents in not reengaging him as illegal, arbitrary, discriminatory and violative of Article 14 & 16 of the Constitution of India.

3. As per the details given by the applicant, he was not engaged after 31.5.1989 for any considerable period. Hence, the question of condoning the break does not arise. As such, he is not eligible to claim seniority on the basis of his earlier service in different spells.

4. In view of what is stated by the applicant, it has to be presumed that he had gained some experience in the work in the Telecom Department. So, it is in the

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Interest of the department, if he is engaged in preference to a fresher whenever work is available. So, only the only relief that can be granted is to direct the 2nd respondent to re-engage the applicant as Casual Mazdoor in preference to freshers whenever there is work. If the applicant is going to be engaged in pursuance of this order, none shall be retrenched who are already in service.

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

*CERTIFIED TO BE TRUE COPY*  
 Date ..... 28/10/PM.  
 Court Officer  
 Central Administrative Tribunal  
 Hyderabad Bench  
 Hyderabad

To

1. The Sub Divisional Officer, Phones, Nizamabad.
2. The Telecom District Engineer, Nizamabad.
3. The Chief General Manager, Telecommunication, Loorsanchar Bhawan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT Hyd.
5. One copy to Mr.H.R.Devraj, Sr.OGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm

*Venkateswar Rao  
Advocate*

*Venkateswar Rao  
Advocate  
Retired  
Counsel  
Officer*

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

O.A. 308/97

Date of decision: 18.3.97

Between

GSR Anjaneyulu ... Applicant

And

1. The Sub Divisional Officer,  
Telecom, Tanuku.

2. Telecom District Manager,  
Eluru.

3. Chief General Manager,  
Telecom, Hyderabad. ... Respondents

Shri K. Venkateshwara Rao ... Counsel for applicant

SHRI NR DEVARAJ, SCGSC ... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

O R D E R

Heard Shri K. Venkateshwara Rao for the applicant.

From the facts of the case it would be seen that the applicant was disengaged as far back as 1987, i.e. more than 12 years ago. There is little point in issuing any directions after such a long lapse of time. I do not see any merits in this O.A. The same is allowed to be withdrawn as requested by the learned counsel. The applicant is entirely free to pursue such claims as he may have with the Department concerned. Thus the CA is disposed of at the admission stage.

H. Rajendra Prasad  
(H. Rajendra Prasad)  
Member (Admve.)

18th March, 1997

Deputy Registrar 3/397  
(J) CC

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O.A.308/97.

To

1. The Sub Divisional Officer,  
Telecom, Tanuku,
2. The Telecom District Manager,  
Eluru.
3. The Chief General Manager,  
Telecom, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Addl.CGSC. CAT.Hyd.
6. One copy to ~~Mr. R. Devraj~~<sup>D.R.(A)</sup>, CAT.Hyd.
7. One copy to Hon'ble Member(A) CAT.Hyd.
8. One copy spare.

pvm.

~~28/4/97~~  
~~25/4/97~~  
T COURT

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TYPED BY

CHECKED BY

COMPARED BY

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)

Dated: 18 - 3 - 1997

ORDER/JUDGMENT

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

in

O.A.No.

308/97

T.A.No.

(w.p.)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions

Dismissed. at The admission stage.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

*Withd  
C.R.M*

pvm

