

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. No. 1293/94.

Dt. of Decision : 21.10.94

(22)

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.)

..2

(Venkateswara Rao,

Advocate

JUDGMENT

It is per Hon'ble Sri R.Kanagarajan, Member(Administrative).

Hon'ble 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 30.6.1986; from 1.12.1987 to 31.3.1988 and lastly from 1.3.1989 to 31.5.1990. Thereafter his services were terminated and later he was not re-engaged. This Ct. 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/11/21/93/Corr. dt. 22.2.1993 issued by K-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 31.5.1990 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 ~~one~~ 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

28/10/PM.

Date Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad

To

1. The Sub Divisional Officer, phones, Nizamabad.
2. The Telecom District Engincer, Nizamabad.
3. The Chief General Manager, Telecommunication, Loorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT Hyd.
5. One copy to Mr.N.R.Devraj, Sr.OGSC.CAT.Hyd.
6. One copy to Librar;, CAT.Hyd.
7. One spare copy.

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) C.V.Lakshman Rao
) Advocate

Rejected
Casual
Officer

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A. 386/97

Date of decision: 10.4.97

Between:

P.V.V. Satyanarayana ... Applicant

And

1. The Sub Divisional Officer,
Telecom, Palakol.
2. The Telecom District Manager,
Eluru.
3. The Chief General Manager,
Telecommunication,
Doorsanchar Bhavan,
Hyderabad. ... Respondents

Shri K.Venkateswara Rao ... Counsel for applicant

Shri V.Vinod Kumar, ACGSC ... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE) ² _{1/2}

ORDER

Heard Shri K.Venkateswara Rao for the applicant
and Shri V.Vinod Kumar, ACGSC., for the respondents.

2. The applicant was disengaged ^a long time ago i.e..
in June, 1989. He has not been given any work after that
date. The applicant submits that he has worked for more
than 850 days during the year 1986-89 and has thus gained
some experience of departmental work at the level of
casual mazdoor. There is no legal right, nor any scope, to
admit such long-delayed cases. However, if any work is
available, and if the current rules, procedures and practices
in the department enable the respondents to show some
consideration to the applicant in view of his past association

Q/
u/w

(27)

O.A.386/97

To

1. The Sub Divisional Officer,
Telecom, Palakol.
2. The Telecom District Manager,
Eluru.
3. The Chief General Manager,
Telecommunication,
Doorsanchar Bhavan, Hyderabad.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.V.Vinod Kumar, Addl.CGSC.CAT.Hyd.
6. One copy to Hon'ble Member(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

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Self
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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)

Dated: 10 - 4 - 1997

ORDER/JUDGMENT

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

in

C.A.No.

386/97

T.A.No.

(w.p.)

Admitted and Interim directions
Issued

Allowed

Disposed of with directions *at the direction*
of the chairman

Dismissed *struck*

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No order as to costs

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal
HYDERABAD BENCH
DESPATCH

30 APR 1997

हैदराबाद अधिकारी
HYDERABAD BENCH

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