IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD
★★★

O?A.1136/97.   Dt.of Decision : 12-10-98.

M.Abdul Mazeed   ..Applicant.

               Vs

1. The Director General,
   Telecommunications,New Delhi.

2. The Chief General Manager,
   Telecommunications, AP Circle,
   Abids, Hyderabad.

3. The Telecom District Manager,
   Telecommunications, Mahabocbnagar.

4. The Sub-Divisional Engineer(Comml)
   O/o Telecom District Manager,
   Mahabocbnagar.   ..Respondents.

Counsel for the applicant   : Mr.V.Venkateswara Rao

Counsel for the respondents   : Mr.V.Rajeswara Rao,Addl.CGSC.

CORAM:-

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

                    ★★★★★
                    ORDER

         Heard Mr.V.Venkateswara Rao, learned counsel for
the applicant and Mr.V.Rajeswara Rao, learned counsel for the
respondents.

2.   The applicant was engaged as a casual labourer
under the respondent department from 24-05-94 onwards. He is
still continuing as casual labourer and has completed 240 days
in a particular year. He was given notice of retrenchment bearing
No.E-9/97-98/1 dated 30-07-97 by the R-4.

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3.　　　　The applicant has filed this OA challenging
the impugned retrenchment notice No.E-9/97-98/1 dated 30-07-97
and to quash the same as illegal, arbitrary and unconstitutional
by holding that the applicant is entitled to be continued in
service and for a consequential direction to the respondents
to grant him temporary status and regularisation of the services
of the applicant by extending the scheme, 1989 with all
consequential benefits such as seniority, promotion, arrears
of pay and allowances etc.

4.　　　　The respondents have not filed any counter in
this OA. However, the learned counsel for the respondents
relied upon the order dated 9-9-98 passed in OA.1258/97 and
submitted that the directions similar to those directions given in
the said OA may be given in this OA also. The learned counsel
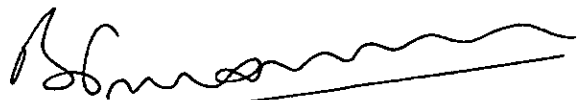for the applicant also agreed to such a course of action.

5.　　　　Hence, the following directions are given:-

1) The order passed in OA.1258/97 is fully
applicable to the facts of this case. The respondents are
directed to take note of the observations made in the said
OA while considering the case of the applicant herein.

2) The respondents may sympathetically consider
the case of the applicant and provide him work to continue
him in service as per the rules. Till work is available with
the respondent department, the respondents shall continue the
services of the applicant by virtue of the interim order.

3) In case of any eventuality arises that the
respondents are to disengage the applicant or to terminate the
contract service of the applicant, then the respondents may
consider the case of the applicant to engage him in the works
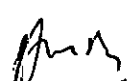that may arise in future instead of outsiders.

6.　　　　With the above directions the OA is disposed of.
No order as to costs.

(B.S.JAI PARAMESHWAR)
MEMBER (JUDL.)

Dated : The 12th Oct. 1998.　12.10.98
(Dictated in the Open Court)

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DR 14-10-17

Copy to:

1. The Director General, Telecommunications, New Delhi.

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

3. The Telecom District Manager, Telecommunications,
   Mahaboobnagar,

4. The Sub Divisional Engineer,(Comml), O/O Telecom District
   Manager, Mahaboobnagar.

5. One copy to Mr.B.Venkateswara Rao,Advocate,CAT,Hyderabad.

6. One copy to Mr.V.Rajeswara Rao,Addl.CGSC,CAT,Hyderabad.

7. One copy to HBSJP,M(J),CAT,Hyderabad.

8. One copy to D.R(A),CAT,Hyderabad.

9. One duplicate copy.

YLKR

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : M(A)

AND

THE HON'BLE SHRI S.S.JAI PARAMESHWAR:
M(J)

DATED: 12|10|98

ORDER/JUDGMENT
M.A/R.A/C.P.NO.

in

O.A.NO. 1136|97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS _____

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR