

RE-23-A7-AD-22
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD

OA 813/97

Date of decision: 30.6.97

Between:

1. S.Gopala Krishna Rao
2. M.Rachavendar Rao
3. MVR Prasada Rao

... Applicants

And

1. Chairman, Telecom Commission,
& DG, Telecommunications,
New Delhi.
2. Chief General Manager,
Telecommunications,
AP Circle, Hyderabad.
3. Dy. General Manager (Admn.)
O/o Chief General Manager,
Telecommunications, AP Circle,
Abids, Hyderabad.
4. General Manager,
Telecommunications,
Hyderabad Area, CTO Compound,
Secunderabad.

5. Telecom District Manager,
Ananthapur.

... Respondents

Shri V.Venkateswara Rao

... Counsel for applicants

Shri N.R.Devaraj, SCGSC

... Counsel for respondents

CORAM

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

ORDER

1. Heard Shri Phani Raj for Shri V.Venkateswara Rao on behalf of the applicant and Shri W.Satyaranayana for Shri N.R. Devaraj, on behalf of the respondents.

2. The facts and circumstances of this case are similar to those contained in OA 777/96 which was disposed of by this Bench on 18.6.96 with certain specific directions. The directions contained in the above OA have to be relied in this case also.

CENTRAL ADMINISTRATIVE TRIBUNAL.
HYDERABAD BENCH.

O. AREGD. NO. 3098 / 97

Date: 25/9/97

T_0

Sri V. Venkateswaran Rao, AdV.

Sir,

I am to request you to rectify the defects mentioned below in your application within 14 days from the date of issue of this letter, failing which your application will not be registered and action under Rule 5 (4) will follow.

① All applicants to sign the O.S./M.A.
② Registered papers with applicants
are to be filed.



Opposition 1. Conflicted with

Officer No 2: A statement regarding ~~particulars~~
employment particulars of the applicant
are filled as follows: No other particulars
are available with us presently. ~~Particulars~~
- ~~Particulars~~ ~~may~~ ~~be~~ ~~necessary~~. We under
- fail to file the same in due course
- hence coupled with

10

Mr. B.

DEPUTY REGISTRAR (JUDI)

20



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CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

Original Application No. 3098/97

DATE OF DECISION: 3-10-97

C. Subbarayudu and 36 others Petitioner(s)

V. Venkateswara Rao Advocate for the
Petitioner(s)

VERSUS

Chairman, Telecom Commission,
New Delhi and 3 others Respondent(s)

I.R. Gopal Rao Advocate for the
Respondent(s)

THE HON'BLE SHRI H. Rajendra Prasad, Member (Admn.)

THE HON'BLE SHRI B.S. Jai Parameshwar, Member (Judl.)

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether the Judgement is to be circulated to the other Benches?
av1/

Judgement delivered by Hon'ble Shri
H. Rajendra Prasad, M(A)

2

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1329/97

OA.3098/97

dated : 3-10-97

Between

1. C. Subbarayudu
2. P.N. Giri Prasad
3. S. Kanaka Durgaiah
4. P. Venkata Ramana
5. C. Ranganayakulu
6. M. Sekhar
7. K. Muniraja
8. S. Venkataramana
9. P. Thayub
10. G. Venakteswarlu
11. M. M. Seetha Ramudu
12. P.S. Madhusudhan
13. P. Surendra Babu
14. K. Kumar
15. M. Venkataraghavulu
16. S. Sudhakara Varma
17. A.V.S. Prasad
18. P. Kumar
19. P. Venkataiah
20. S. Karunakara Varma
21. K. Raveendra
22. P. Seshadri
23. H. Kasim Sharif
24. P. Manjula
25. P. Raghupathi
26. A. Nagaraju
27. V. Chandra Sekhar
28. K. Shivaji
29. K. Manohara
30. S. Mahaboob Basha
31. P. Balaji
32. R. Saravana Perumal
33. S. Ghose Basha
34. M. Abraham Kennedy
35. M. Ayub Ali Khan
36. G. Murali, and
37. T. Chinna Chenchaiah

: Applicants

and

1. The Chairman
Telecom Commission
New Delhi

JK

2. The Director General
Telecommunications
New Delhi 110001

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

4. Telecom District Manager
Tirupati.

: Respondents

Counsel for the applicants

: V. Venkateswara Rao
Advocate

Counsel for the respondents

: J.R. Gopal Rao
Addl. CGSC

CORAM

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

HON. MR. B.S. JAI PARAMESHWAR, MEMBER (JUDL.)

1329(97)
OASR. 3098/97

dated : 3-10-97

33

Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admn.)

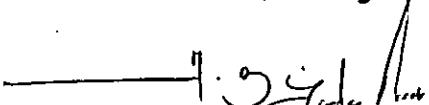
Heard Mr. V. Venkateswara Rao for the applicants and
Sri J. R. Gopal Rao for the respondents.

1. The facts of this case ^{are} similar to those contained in
OA.777/96 and OA.813/97. The direction contained in the
above OAs are applicable in this OA. Accordingly, the follow-
ing directions are issued :

- i) The applicants may file a representation, if advised,
within four weeks from today to the respondents with the same
relief as contained in this OA.
- ii) If it is found that the applicants are actually working
as of today, the respondents shall examine their claim and
take appropriate decision in the matter. A copy of the
decision so arrived at shall be conveyed to the applicants.
In case the claim is rejected, reasons for rejection shall be
communicated.
- iii) The applicants shall not be disengaged until a period
of two weeks expires after the decision on the representation
is taken.

2. The OA is disposed of thus at the admission stage.


(B.S. Jai Parameshwar)
Member (Judl.)


(H. Rajendra Prasad)
Member (Admn.)

3.10.97

Dated : October 3, 97
Dictated in Open Court

sk


J.R (J)

OA,1329/97

~~Exx~~

To.

1. The Chairman, Telecom Commission, New Delhi.
2. The Director General, Telecommunications, New Delhi.
3. The Chief General Manager, Telecommunications, A.P. Circle, Abids, Hyd.
4. The Telecom District Manager, Tirupati - 501.
5. One copy to Mr.V.Venkateswara Rao, Advocate, CAT., Hyd.
6. One copy to Mr.J.R.Gopala Rao, Sr.CGSC, CAT., Hyd.
7. One spare.

15/10/97

I Court.

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)

THE HON'BLE MR. B.S. JAI PARAMESWAR
DATED:- 3-10-97 (S)

ORDER/JUDGMENT.

M.S. / R.A. / C.A. NO.

in

O.A. No. 1329/97

T.A. No.

(W.P.)

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

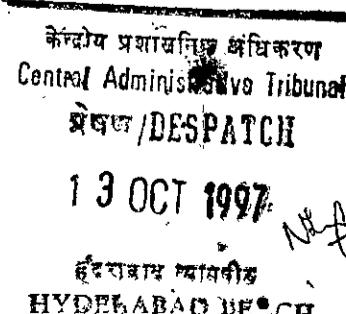
Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No order as to costs.



High court File No. 29/99. 36

CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: HYDERABAD

WRIT PETITION NO. 4492 /1999

Petition was filed in the High Court of Andhra Pradesh by Sri K. Muniraja & Ors. Vs. Chairman, Telecom Committee, Sanchay Bhawan, New Delhi and others against the Order/Judgment of this Hon'ble Tribunal dated 3-10-97 and made in O.A.No. 1329/97.

~~disposed of the w.p.~~
The High Court was pleased to ~~discontinued~~ ~~order Interim~~
~~Suspension stay the operation of Judgment on 23-3-99~~

The Judgment of the Tribunal in O.A.No. 1329/97
and the order of the High Court of Andhra Pradesh enclosed
herewith for perusal.

Submitted.

Deputy Registrar.

Hon'ble Vice-Chairman. 26/5

Hon'ble Member (A) I

Hon'ble Member (A) II

Hon'ble Member (D) 16

H.C. 29/99

37

IN THE HIGH COURT OF JUDICATURE ANDHRA PRADESH AT HYDERABAD.
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE TWENTY THIRD DAY OF MARCH
ONE THOUSAND NINE HUNDRED AND NINETY NINE

PRESENT
THE HONOURABLE MR. JUSTICE: B. SUBHASHAN REDDY

AND
THE HONOURABLE MR. JUSTICE: Y. V. NARAYANA
W.A.T. PETITION NO. 4492 OF 1999.

Between:

1. K. Muniraja
2. P. D. L. J.
3. M. Venkateshaghavulu
4. S. Sudhakar Varma
5. S. Karunakara Varma
6. P. S. Madhusudhan
7. B. Seetha Krishnam

.. Petitioners

and

1. Union of India rep. by its Chairman, Telecom Commission,
Sanchar Bhawan, Parliament Street, New Delhi- 110 001.
2. The Director-General of Telecommunications, Sanchar Bhawan,
Ranikhet Parliament Street, New Delhi-110 001.
3. The Chief General Manager, Telecommunications, AP. Circle,
Abids, Hyderabad.
4. The Telecom Dist. Manager, Anantapur.
5. The Central Administrative Tribunal, rep. by its Registrar,
Assembly Road, Hyderabad.

.. Respondents.

Petition under article 226 of the Constitution of India
praying that in the circumstances stated in the affidavit
filed herein the High Court will be pleased to issue a writ,
order or direction in the nature of Mandamus or otherwise declare
the action of the respondents in not granting temporary status
and not regularising the services of the petitioners as arbitrary
and illegal and further declare the orders of the Hon'ble Central
Administrative Tribunal, Hyderabad dated 3-10-97 in OA. NO.
1329/97 in so far as it relates to directing the respondents
to examine the claims of the petitioners only if the petitioners
are in service as on 3-10-97 is concerned, as arbitrary and
illegal and set aside the same and issue consequential direction
directing the respondents to grant temporary status to the
petitioners and regularise the petitioners' services against
the existing regular vacancies in Group 'D' category forthwith
and continue the petitioners in service till regularisation of
services of the petitioners in the interest of justice.

For the Petitioners: Mr. P. V. Krishnaiah, Advocate.

For the Respondents 1&2: MR. B. Adinayana Rao, SC for C.C.

For the Respondents 3&4: MR. T. Ramakrishna Rao, SC for Telecommunications.

THE COURT AT THE ADM

113	STAGE MADE THE
12/4/99	11 APR 1999
FOLLOWING ORDER:	
5 APR 1999	
RECORDED BY / JUDGE / CLERK /	

COMD:

113
12/4/99

• 2.

JUDGMENT:

(PER THE HONOURABLE SRI JUSTICE O.SUBHASHAN REDDY).

Heard Mr. T. Rama Krishna Rao, learned Additional Standing Counsel for the Central Government.

Of the writ petition has been filed by petitioning the order of the Central Administrative Tribunal, Hyderabad Bench, rendered in OA. No. 1329/97. The petitioners claim to have been engaged as Casual Labourers fitting into the scheme framed on 18-11-88. Under para 3.2 of the said scheme namely, no casual labourer engaged after 30-3-85 would be available for consideration for conferring temporary status but there is an exception to the effect that the same can be done with the approval of the Telecom Commission. The question is as to whether the petitioners are entitled to have the benefit of that scheme at all. That is a question of fact to be decided by the authority concerned, but the Tribunal has put an embargo on considering the claim of the petitioners, imposing a condition that their claim can be considered only if they are in service as on that date. Such an imposition of condition is unwarranted. In the circumstances, the said condition is vacated and the Respondent is directed to consider the case of the petitioners as to whether they are eligible to be considered for conferral to temporary status in accordance with the scheme stated supra, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly.

Sd/- A.Ranga Suri,
Asst. Registrar.

//true cpy//

Section Officer.

To,

xxxxxxxxxxxxxxxxxxxx

1. Chairman, Telecom Commission, Union of India, Sanchar Bhawan, Parliament Street, New Delhi-1.
2. The Director General of Telecommunications, Sanchar Bhawan, Parliament Street, New Delhi-1.
3. The Chief General Manager, Telecommunications, AP.Circlle, Abids, Hyderabad.
4. The Telecom District Manager, Ananthapur District.
5. The Registrar, The Central Administrative Tribunal, A assembly Road, Hyderabad.
6. Two CD copies.
7. One cc to Mr. T. Rama Krishna Rao, Advocate. (OPUC).

G.H.B.

2. The Director General
Telecommunications
New Delhi 110001

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

4. Telecom District Manager
Ananthapur Tirupati,

: Respondents

Counsel for the applicants

: V. Venkateswara Rao
Advocate

Counsel for the respondents

: J.R. Gopal Rao
Adv. CGSC

CORAM

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

HON. MR. B.S. JAI PARAMESHWAR, MEMBER (JUDL.)

39

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

CA.1329/97

OA.3098/97

dated : 3-10-97

Between

1. C. Subbarayudu
2. P.N. Giri Prasad
3. S. Kanaka Durgaiah
4. P. Venkata Ramana
5. C. Ranganayakulu
6. M. Sekhar
7. K. Muniraja
8. S. Venkataramana
9. P. Thayub
10. G. Venakteswarlu
11. M. M. Seetha Ramudu
12. P.S. Madhusudhan
13. P. Surendra Babu
14. K. Kumar
15. M. Venkataraghavulu
16. S. Sudhakara Varma
17. A.V.S. Prasad
18. P. Kumar
19. P. Venkataiah
20. S. Karunakara Varma
21. K. Raveendra
22. P. Seshadri
23. H. Kasim Sharif
24. P. Majjula
25. P. Raghupathi
26. A. Nagaraju
27. V. Chandra Sekhar
28. K. Shivaji
29. K. Manohara
30. S. Mahaboob Basha
31. P. Balaji
32. R. Saravana Perumal
33. S. Ghouse Basha
34. M. Abraham Kennedy
35. M. Ayub Ali Khan
36. G. Murali, and
37. T. Chinna Chenchiah

: Applicants

and

1. The Chairman
Telecom Commission
New Delhi

Jr

sp. 2/98
printing

1329 (S7)
OASR. 3098/97

dated : 3-10-97

40

Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admn.))

Heard Mr. V. Venkateswara Rao for the applicants and Sri J. R. Gopal Rao for the respondents.

1. The facts of this case ^{are} similar to those contained in OA.777/96 and OA.813/97. The direction contained in the above OAs are applicable in this OA. Accordingly, the following directions are issued :

i) The applicants may file a representation, if advised, within four weeks from today to the respondents with the same relief as contained in this OA.

ii) If it is found that the applicants are actually working as of today, the respondents shall examine their claim and take appropriate decision in the matter. A copy of the decision so arrived at shall be conveyed to the applicants. In case the claim is rejected, reasons for rejection shall be communicated.

iii) The applicants shall not be disengaged until a period of two weeks expires after the decision on the representation is taken.

2. The OA is disposed of thus at the admission stage.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

Signature of Court Officer
COURT OFFICER
केंद्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal
हैदराबाद न्यायालय
HYDERABAD BENCH

9/10/97

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:: HYDERABAD BENCH
AT HYDERABAD

M.A.NO.

941

OF 1997

IN

O.A.NO.

3098

OF 1997

Between:

1. C. Subbarayudu, S/o. Chinnam Venkataiah, aged about 29 years, Occ: Casual Labourer, CTO, Tirupati, R/o.H.No.467/A, Upstakairs, Kotakommala Street, Tirupati
2. P.N. Giri Prasad, S/o. P.G. Natarajan, aged about 27 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No.3-287, Padammanu Street, Greamspet, Chittoor-2
3. S. Kanaka Durgaiah, S/o. B. Desaiah, aged about 27 years, Occ: Casual Labourer, R/o. H.No.9-320, Lingeswar Nagar, Tirupati
4. P. Venkata Ramana, S/o. P. Subbarayudu, aged about 32 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No.20-1-262/B, Korlagunta, Marutinagar, Tirupati
5. C. Ranganayakulu, S/o. Chinnam Venkataiah, aged about 22 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No.467/A, Kotakommala Street, Tirupati
6. M. Sekhar, S/o. M. Gangaiah, aged about 27 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No. Sevappa Colony, Avilalai, Tirupati (North)
7. K. Muniraja, S/o. K. Krishnaiah Chetty, aged about 26 years, Occ: Casual Labourer, TC Nagari, R/o.H.No.4-27, Janapaline, Nagari
8. S. Venkataramana, S/o. S. Chennabba, aged about 28 years, Occ: Casual Labourer, TC Palamner, R/o.T.M.Gollapalli, Pedda Upparapalli Post, Somalia-Mandal, Chittoor Dist.
9. P. Thayub, S/o. P. Fazluddin Saheb, aged 21 years, Occ: Casual Labourer, TC Pakala, R/o.H.No.18/89 Subedar Street, Punganur.
10. G. Venkateswarlu, S/o. G. Subba Ramaiah, aged 21 years, Occ: Casual Labourer, TC Punganur, R/o. Matli Thogatapalli, Agharam Post, Veeraballi Mandal, Rayachoti
11. M. Seetha Ramudu, S/o. M. Sadguru Murthy, aged about 23 years, Occ: Casual Labourer, ZTO, Tirumalai Hills, R/o. Govinadapalli, Sirvel, Nandyal
12. P. S. Madhusudhan, S/o. P. S. Surendra Kumar, aged about 22 years, Occ: Casual Labourer, CTO Tirupati, R/o. P.C.12, Police Line, Tirupati

13. P.Surendra Babu, S/o.P.Narayana, aged about 25 years, Occ:Casual Labourer, T.C.Renigunta, R/o.Santhapalli village, Kafipakam Post, Thavanampalli Mandal, Chittoor
14. K.Kumar, S/o.K.Venkatarathnam, aged about 24 years, Occ:Casual Labourer, T.C.Punganur, R/o.Kalvathi village, Thirubapalli Post, Peddapanjani Mandal, Chittoor
15. M.Venkataraghavulu, S/o.M.Ankaraiah, aged about 25 years Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.Manga Nellor Post, Sullurpet, Nellore District
16. S.Sudhakara Varma, S/o.S.Madhava Raju, aged about 29 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.OBR Kandriga village, Via-Vadamalapet Mandal, Chittoor Dist.
17. A.V.S.Prasad, S/o.A.Venkata Ramana, aged about 18 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.C Type-47, Tirumala
18. P.Kumar, S/o.P.Raghavaiah, aged about 22 years, Occ:Casual Labourer, TC "alahasti, R/o.Chulopalli village, Kapugunnery Post, Sri Kalahasti
19. P.Venkataiah, S/o.P.Veeraswamy, aged 26 years, Occ:Casual Labourer, T.C.Kalahasti, R/o. Chulopalli village, Kapugunnery Post, Sri Kalahasti
20. S.Karunakara Varma, S/o.S.Koteswar Raju, aged about 23 years, Occ:Casual Labourer, T.C.Chandragiri, R/o.OBR Kandriga village, Vadamalapeta Mandal, Chittoor District
21. K.Raveendra, S/o.Kothakota Munikrishnaiah, aged about 22 years, Occ:Casual Labourer, TC Pakala, R/o.Appalaya Gunta village, Vadamalapeta Mandal, Chittor
22. P.Seshadri, S/o.P.Venkataramaiah, aged about 22 years, Occ:Casual Labourer, CTO Tirupati, R/o.Upperapalli village, Tirupati
23. H.Kasim Sharif, S/o.M.Hussain Sharif, aged about 21 years, Occ:Casual Labourer, TC:SVU Tirupati, R/o.H.No.31-A, Bazar Street, Tirupati
24. P.Manjula, S/o.P.Chandra Reddy, aged about 24 years, Occ:Casual Labourer, TC:SVU, Tirupati, R/o.B.No.53, Nehru Street,Tirupati
25. P.Raghapathi S/o.P.Anjaneyulu, aged about 25 years, Occ:Casual Labourer, CTO Tirupati, R/o.H.No.6-13-23/B, Ambedkar Colony, Tirupati
26. A.Nagaraju, S/o.A.Rangaswamy, aged about 22 years, Occ:Casual Labourer, DTO Puttur, R/o.Vepagunta village, Puttur Mandal,Chittoor

27. V.Chandra Sekhar, S/o. V.Krishnaih, aged about 29 years, Occ:Casual Labour, CTO Tirupati, R/o.T.P.Kota village, Nagalapuram Mandal, Chittor Dist.
28. K.Shivaji, S/o.K.Peddabba, aged about 19 years, Occ:Casual Labourer, DTO Chittoor, R/o.D.No.24-193, Kodigomta Palle, Chittoor
29. K.Manohara, S/o.K.Nagulaiah, aged 27 years, Occ:Casual Labourer, TC Piler, R/o.Telcom Centre, Piler.
30. S.Mahboob Basha, S/o.S.Mazeed, aged about 29 years, Occ:Casual Labourer, CTO:Tirupathi, R/o.Thondavooda Post,Chandragiri Mandal
31. P.Balaji, S/o.P.Subramanyam, aged 22 years, Occ:Casual Labourer, CTO Tirupati, R/o. H.No.503/B, R.R.Colony, Tirupati
32. R.Saravana Perumal, S/o.V.Ramachandran, aged about 25 years, Occ:Casual Labourer, R/o.H.No.28-288, E.Cross, Ramnagar Colony, Chittoor
33. S.Ghouse Basha, S/o.K.S.Basha, aged 19 years, Occ:Casual Labourer, DTO Chittoor, R/o.D.No.5-~~162~~ 612, Aragonda Road, Santhapet, Chittoor
34. M.Abrahim Kennedy, S/o.M.Mahimai Dass, aged 21 years, Occ:Casual Labourer, DTO Chittoor, R/o.D.No.2-293, Readspet, Chittoor
35. M.Ayub Ali Khan, S/o.M.Satharkhan, aged 35 years, Occ:Casual Labourer, TC Piler, R/o.Prakasam Road, Piler
36. G.Murali, S/o.G.Krishnappa Chetty, aged about 19 years, Occ:Casual Labourer, TC:SVU Tirupati, R/o.Haridwara Colony, Near Chenna Reddy Colony, Tirupati
37. T.Chinna Chenchaiah, S/o.T.Naraiah, aged about 23 years, Occ:Casual Labourer, CTO Tirupati, R/o.Sanjay Gandhi Nagar, 10th Street, AK Nagar, Nellore

.. Petitioners/
Applicants

And

1. The Chairman,
Telecom Commission,
New Delhi
2. The Director General,
Telecommunications,
New Delhi -110 001.
3. The Chief General Manager,
Telecommunications, A.P.Circle,Abids,
Hyderabad
4. The Telecom District Manager,
Kurnool

.. Respondents/
Respondents

MISCELLANEOUS APPLICATION FILED UNDER RULE 4(5) OF THE
CENTRAL ADMINISTRATIVE TRIBUNAL PROCEDURE RULES '85

The applicants herein submit that they have filed the above O.A for the similar relief i.e., to grant Temporary Status and Regularisation of the service of the applicants by extending the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme, 1989 with all consequential benefits and the relief prayed by them also are similar and identical. They are also similarly situated.

Hence, it is prayed that this Hon'ble Tribunal may be pleased to permit the applicants to file single O.A in the interest of justice and pass any other order or orders as is deemed fit, proper, necessary and expedient in the circumstances of the case.

VERIFICATION

I, C. Subbarayudu, the applicant No.1 herein do hereby verify that the contents as stated above are true and correct to the best of my knowledge, belief and on information and hence verified on this the 18 day of September, 1997.


Counsel for the
Applicant

C. SUBBARAYUDU
Applicant No.1.

Single OA Petn.

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL: HYDERABAD BENCH:HYD

M.A.NO.

OF 1997

IN

O.A.NO.

OF 1997

Between:

C. Subbarayudu
and others

.. Petitioners/
Applicants

And

The Telecom
Commission and
others

.. Respondents/
Respondents



MISCELLANEOUS APPLICATION
FILED UNDER RULE 4(5) OF THE
CENTRAL ADMINISTRATIVE TRIBU-
NAL PROCEDURE RULES, 1985

Filed on: -09-97

Reff'd
to Dr. S. S. Ray
for filing

M/s. V. Venkateswar Rao
& K. Phaniraju, Advocates.

Counsel for the Applicants

Ray & Rao
23/9/97

MA. 941 /97 in OASR. 3098 /97

dated : 3-10-97

Heard.
Petitioners are permitted to
file joint O.A.

Thus the MA is disposed of.
Register the OA.


HESJP
M (J)

sk


HMRP
M (A)

मूल/ORIGINAL

र संचार TELECOM

एकल सदस्य केस
SINGLE MEMBER CASE

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

M.A. NO. 941 OF 1997

IN

O.A. S.R. No. 3098 OF 1997

SINGLE O.A. PETITION

Mr. V. Venkateswara Rao
COUNSEL FOR THE APPLICANT.

AND

Mr. T. R. Gorakhan
Sr. ADDL. STANDING COUNSEL FOR
C.G. Klys.

FORM NO. 21.

(Sec. Rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH, HYDERABAD.

R. 8/98 in P.O.A. No. 1329 1997C. Subbarayudu & 36 others Applicants.

versus

Rambabu, TDM, Tuonpathi

Respondent (s)

INDEX SHEET

S. No.	Description of documents & Date	Pages.
1.	Docket orders.	182
2.	Interim Orders.	
3.	Orders In M.A. (s)	
4.	Reply Statements. 13-4-98 :	12 to 21.
5.	Rejoinder. 30-8-98.	22 to 24.
6.	Orders in (final Orders) 31-8-98.	25 to 27.

16/9/98
Signature of dealing Head
in Record Section.

Signature of S.O.

CP 8/98 in O.A. 1329/97.

Date	Office Note	Order
6		<u>20/3/98.</u>

Heard Mr. V. Venkateswara Rao for the applicant and Mrs. Sakthi for Mr. J. R. Gopal Rao for the respondents.

Issue notice.

List it for admission hearing on 3/4/98.

To
HBSRP
m(T)

HRN
m(B)

3. 4. 98

on the request of respondents
Commit hearing 24. 4. 98

HRN
m(B)

HRN
m(B)

24-4-98

List this case before the Bench
where Hon'ble Sri H. Rajendra
Rao, Member (H) is sitting.

To
HBSRP

m(T)

HRN

m(B)

before this

List this CP ~~next~~
division Bench, next week.

To
HBSRP
m(T)

To
HRN
m(B)

8-7-98

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

Op. No.

8

Op. 1998

in
O.A. 1329/98

C. Subbavagunta ^{36th}
~~80th~~ Applicant(s)

VERSUS

Sri Ramababu, Telcom B/T player
Tirupati Respondent(s)

Date

Office Note

Order

29.1.98

At the request of the
respondent counsel, list
5/2/98.

To
HBSTP
H(J)

HRRN
H(A)

26.2.98

List this C.P. -
for admission hearing
on 5.3.98

To
HBSTP
H(J)

to R.P.W.
ms

23/3

List this OA on 23.3.98 at
request

To
HBSTP
H(J)

to A.H.R.P.
ms

not listed
on 6/3/98
and the file
was lying
in the office

2
CP 8/98 in OA 13 29/97

DATE : OFFICE NOTE

ORDER

5-10-98

List the matter after three weeks.

D
HRS
M(A)

✓
HHRP
MPD

7-1-99

None present. Post after vacation.

D
HHRP
M(A)

✓
DHMJ
HVC

24/8/99

Applicant not represented

Mr. JR. Gopala Rao, for the respondent

Post on 30/8/99.

D
HRRN
M(A)

✓
DHMJ
VC

Post tomorrow.

D
HRRN
M(A)

X
DHMJ
VC

31-8-99

C.P. closed. Order on separate sheet. No costs.

D
HRRN
M(A)

✓
DHMJ
VC

3

17
CONTEMPT PETITION FILED UNDER SECTION 16 OF THE ADMINISTRATIVE
TRIBUNALS ACT, 1985

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.NO.

8

OF 1998

IN

O.A.NO.

1329

OF 1998

Between:

1. C.Subbarayudu, S/o.Chinnam Venkataiah, aged about 29 years, Occ:Casual Labourer, CTO, Tirupati, R/o.H.No.467/A, Upstairs, Kotakommala Street, Tirupati
2. P.N.Giri Prasad, S/o.P.G.Natarajan, aged about 27 years, Occ:Casual Labourers, CTO Tirupati, R/o.H.No.3-287, Pagadamanu Street, Greamspet, Chittoor - 2
3. S.Kanaka Durgaiah, S/o.S.Desaiyah, aged about 27 years, Occ:Casual Labourer, R/o.H.No.9-320, Lingeswar Nagar, Tirupati
4. P.Venkata Ramana, S/o.P.Subbarayudu, aged about 32 years, Occ:Casual Labourer, CTO Tirupati, R/o.H.No.20-1-262/B, Korlagunta, Marutinagar, Tirupati
5. C.Ranganayakulu, S/o.Chinnam Venkataiah, aged about 22 years, Occ:Casual Labourer, CTO Tirupati, R/o.H.No.467/A, Kotakommala Street, Tirupati
6. M.Sekhar, S/o.M.Gangaiah, aged about 27 years, Occ:Casual Labourer, CTO Tirupati, R/o.H.No.Sevappa Colony, Avilala, Tirupati (North)
7. K.Muniraja, S/o.K.Krishnaiah Chetty, aged about 26 years, Occ:Casual Labourer, TC Nagari, R/o.H.No.4-27, Janapaline, Nagari
8. S.Venkataramana, S/o.S.Chennabba, aged about 28 years, Occ:Casual Labourer, TO Palamäer, R/o.T.M.Gollapalli, Pedda Upparapalli Post, Somalia-Mandal, Chittoor Dist.
9. P.Thayub, S/o.P.Fazluddin Saheb, aged 21 years, Occ:Casual Labourer, TC Pakala, R/o.H.No.18/89, Subedar Street, Punganur
10. G.Venkateswarlu, S/o.G.Subba Ramaiah, aged about 21 years, Occ:Casual Labourer, TC: Punganur, R/o.Matli Thogatapalli, Agraharam Post, Veeraballi Mandal, Rayachoti.
11. M.Seetha Ramudu, S/o.M.Sadguru Murthy, aged about 23 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.Govindapalli, Sirvel, Nandyal
12. P.S.Madhusudhan, S/o.R.S.Surendra Kumar, aged about 22 years, Occ:Casual Labourer, CTO Tirupati, R/o.P.C.12, Police Line, Tirupati

P.Surendra Babu, S/o.P.Narayana, aged about 25 years, Occ:Casual Labourer, T.C.Renigunta, R/o.Santhapalli village, Kanipakam Post, Thavanampalli Mandal, Chittoor

K.Kumar, S/o.K.Venkataraman, aged about 24 years, Occ:Casual Labourer, T.C.Punganur, R/o.Kalvathi village, Thirulapalli Post, Peddapanjari Mandal, Chittoor

15. M.Venkataraghavulu, S/o.M.Ankaraiah, aged about 25 years, Occ:Casual Labourer, ZTO, Tirumalai Hills,R/o.Manga Nellor Post, Sullurpet, Nellore District
16. S.Sudhakara Varma, S/o.S.Madaava Raju, aged about 29 years, Occ:Casual Labourer, ZTO,Tirumalai Hills, R/o.Opp.Kendriga village, Via-Vadamalapet Mandal, Chittoor District.
17. A.V.S.Prasad, S/o.A.Venkata Ramana, aged about 18 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.C Type-47, Tirumala
18. P.Kumar, S/o.P.Ragaaiah, aged about 22 years, Occ:Casual Labourer, TC Kalahasti, R/o.Chulopalli village, Kapugunnery Post, Sri Kalahasti
19. P.Venkataiah, S/o.P.Veeraswamy aged 26 years, Occ:Casual Labourer, T.C.Kalahasti, R/o.Chulopalli village, Kapugunnery Post, Srikalahasti
20. S.Karunakara Varma, S/o.S.Kotswara Raju, aged about 23 years, Occ:Casual Labourer, T.C.Chandragiri R/o.Kandriga village, Vadamalapeta Mandal, Chittoor District
21. K.Raveendra, S/o.Kothakota Munikrishnaih, aged about 23 years, Occ:Casual Labourer, TC Pakala, R/o.Appalaya Gunta village, Vadamalapeta Mandal, Chittoor
22. P.Seshadri, S/o.P.Venkataramaiah, aged about 22 years, Occ:Casual Labourer, CTO Tirupati R/o.Upperalalli village, Tirupati
23. H.Kasim Sharif, S/o.M.Hussain Sharif, aged about 21 years, Occ:Casual Labourer, TC:SVU Tirupati, R/o.H.No.31-A, Bazar Street, Tirupati
24. P.Manjula, S/o.P.Chandra Reddy, aged about 24 years, Occ:Casual Labourer, TC:SVU, Tirupati, R/o.H.No.53, Nehru Street, Tirupati
25. P.Raghupathi, S/o.P.Anjaneyulu, aged about 25 years, Occ:Casual Labourer, CTO:Tirupati, R/o.H.No 6-13-23/B, Ambedkar Colony, Tirupati

26. A.Nagaraju, S/o.A.Rangaswamy aged about 22 years, Occ:Casual Labourer, DTO:Puttur, R/o.Vepagunta village, Puttur Mandal, Chittoor

27. V.Chandra Sekhar, S/o.V.Krishnaiah, aged about 29 years, Occ:Casual Labourer, CTO: Tirupati, R/o.T.P.Kota village, Nagalapuram Mandal, Chittoor Dist.

28. K.Shivaji, S/o.K.Peddabba, aged about 19 years, Occ:Casual Labourer, DTO Chittoor, R/o.D.No.24-193, Kodigomta Palle, Chittoor

29. K.Manohara S/o.K.Nagulaiah, aged 27 years, Occ:Casual Labourer, TC Piler, R/o.Telem Centre, Piler.

30. S.Mahaboob Basha, S/o.S.Mazeed, aged about 29 years, Occ:Casual Labourer, CTO:Tirupati, R/o.Thondavooda Post, Chandragiri Mandal

31. P.Balaji, S/o.P.Subramanyam, aged 22 years, Occ:Casual Labourer, CTO Tirupati, R/o. H.No.503/D, B.R.Colony, Tirupati

32. R.Saravana Perumal, S/o.V.Ramachandran, aged about 25 years, Occ:Casual Labourer, R/o.H.No.28-288, E.Cross, Ramagar Colony, Chittoor

33. S.Ghouse Basha, S/o.K.S.Basha, aged 19 years, Occ:Casual Labourer, DTO Chittoor R/o.D.No.5-612, Aragonda Road, Santhapet, Chittoor

34. N.Abraham Kennedy, S/o.M.Mahimai Dass, aged 21 years, Occ:Casual Labourer, DTO Chittoor, R/o.H.No.2-293, Readspet, Chittoor

35. M.Ayub Ali,Khan, S/o.M.Satharkhan, aged 35 years, Occ:Casual Labourer, ~~TC Piler~~ R/o.TC Piler, R/o.Prakasam Road, Piler

36. G.Murali, S/o.G.Krishnappa Chetty, aged about 19 years, Occ:Casual Labourer, TC:SVU Tirupati, R/o.Haridwara Colony, Near Chenna Reddy Colony, Tirupati

37. T.Chippa Chenchaiah, S/o.T.Naraiah, aged about 23 years, Occ:Casual Labourer, CTO, Tirupati, R/o.Sanjay Gandhi Nagar, 10th Street, AK Nagar, Nellore .. Petitioners
1x .. Applicants

A N D

Sri. Rambari
Telecom District Manager,
Tirupati

.. Respondents

Respondents 1 to 3 in the Main A are not necessary Respondents
pertaining to this petition

For the reasons stated in the accompanying
affidavit, it is prayed that this Hon'ble Tribunal

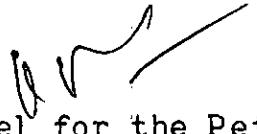
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may be pleased to take cognizance of the Contempt of Court against the Respondent herein and punish him according to Law for his wilful and deliberate disobedience of the orders of this Hon'ble Tribunal passed in OLA.No.1329/97 dated 03.10.1997 while directing him to implement the judgment forthwith and pass any other order or orders as is deemed fit, proper, necessary and expedient in the circumstances of the case.

Hyderabad,

Dt: -12-1997


Counsel for the Petitioners

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.NO.

OF 1997

IN

O.A.NO. 1329

OF 1997

Between:

C.Subbarayudu and others

.. Petitioner/
Applicants

And

Sri.
Telecom District Manager,
Tirupati

.. Respondent/
Respondent No.4

MATERIAL PAPERS INDEX

S.No.	Date	Description	Page No.	Ann.No.
1.	06.11.97	Letter from the O/o. C.G.M.,A.P.Circle to Respondent	01	I
2.	03.10.97	Order in O.A.No.1329/97 by this Hon'ble Tribunal	02 to 04	II

Hyderabad,

Dt: -12-97


Counsel for the Petitioners

DEPARTMENT OF TELECOMMUNICATIONS

శ్రీ సమా ప్రాంగం కూర్కార కా కాయిల్లా
OFFICE OF THE
Chief General Manager, Telecommunications
Sector పార్క, హైదరాబాద్-500 001,
Andhra Pradesh, Hyderabad-500 001

To,
The Telecom District Manager
T. I. R. U. P. A. T. I.

Lr. no . TA/LC/S-254/97

dt'd the 11/97

Sub :- Implementation of judgement of O.A.No
1329/97 filed by sri.C.Subbarayudu and
26 others casual labouer -reg.

A copy of judgment dated 3-10-97 in O.A. NO
1329/97 is sent herewith.

The Hon'ble Central Administration Tribunal, Hyderabad
has disposed off the OA with a direction to the department
to dispose off the representation.

Hence you are requested to forward the representations of the applicants if any received along with parawise comments to this office and not disengage the applicants until an appropriate decision is made communicated to the applicants.

Matter may be treated as Most Urgent.

Encl:-As above.

sent fm
Asst. General Manager (Legal)
O/o C.G.M. Telecom
A.P. Hyderabad.

13

2. The Director General
Telecommunications
New Delhi 110001

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

4. Telecom (District Manager):
Aghathapur (Mysore)

Counsel for the applicant:

Counsel for the respondent:

Respondents

V. Veriases, Dr. Rad
Advocate

D.J.R. Gupta, Rad
Addl. AGC

CC: 2/2

Smt. MR. H. RAJENDRA PRASAD, M. P.C. (ADMN.)

Smt. M. B.S. JAI PALAM SHARMA, M. MBER (JUDL.)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

Ch 329/97
DA 3098/97

dated : 3-10-97

Between

1. C. Subbarayudu
2. P.N. Giri Prasad
3. S. Kanaka Durgaiah
4. P. Venkata Ramana
5. C. Ranganayakulu
6. M. Sekhar
7. N. Muniraja
8. S. Venkataramana
9. P. Thayub
10. G. Venakteswarlu
11. M. Seetha Ramudu
12. B.S. Madhusudhan
13. S. Surendra Bahu
14. A. Kumar
15. M. Venkataraghavulu
16. S. Sudhakara Varma
17. A.V.S. Prasad
18. A. Kumar
19. P. Venkataiah
20. S. Karunakara Varma
21. K. Raveendra
22. P. Seshadri
23. H. Kasim Sharif
24. P. Majjula
25. P. Raghupathi
26. A. Nagaraju
27. V. Chandra Sekhar
28. K. Shivaji
29. K. Manohara
30. S. Mahaboob Basha
31. P. Balaji
32. R. Saravana Perumal
33. S. Ghouse Basha
34. M. Abraham Kennedy
35. M. Ayub Ali Khan
36. G. Murali, and
37. T. Chinna Chenchiah

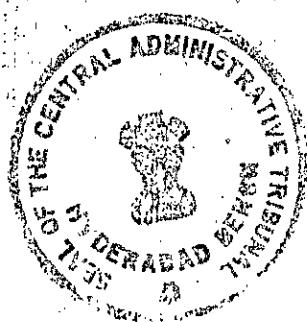
: Applicants

and

1. The Chairman,
Telecom Commission
New Delhi

Jr

He



1329157

OASR.3098/97

dated 3-10-97

Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admin.))

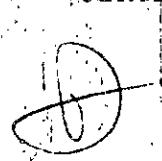
Heard Mr. V. Venkateswara Rao for the applicants and Sri. J. R. Gopal Rao for the respondents.

1. The facts of this case are similar to those contained in OA. 777/96 and OA. 813/97. The direction contained in the above OAs are applicable in this OA. Accordingly, the following directions are issued :

- i) The applicants may file a representation, if advised, within four weeks from today to the respondents with the same relief as contained in this OA.
- ii) If it is found that the applicants are actually working as of today, the respondents shall examine their claim and take appropriate decision in the matter. A copy of the decision so arrived at shall be conveyed to the applicants. In case the claim is rejected, reasons for rejection shall be communicated.
- iii) The applicants shall not be disengaged until a period of two weeks expires after the decision on the representation is taken.

2. The OA is disposed of thus at the admission stage,

CERTIFIED TO BE TRUE COPY


 COURT OFFICER
 विधि प्राधिक अधिकारी
 Central Administrative Tribunal
 विधि प्राधिक अधिकारी
 HYDERABAD BENCH

9/10/97



Contempt Petn

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL: HYDERABAD BENCH:HYD

C.P.NO.

OF 98

IN

O.A.NO.

1329

OF 97



CONTEMPT PETITION

Recd
P.P.
S.R.Coptr
Aad.C.P.
19/1/98

MR.V.VENKATESWAR RAO
ADVOCATE

COUNSEL FOR THE PETITIONERS/
APPLICANTS

Recd
S.R.Coptr
Aad.C.P.
19/1/98

291

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.No. 8 of 1998
IN
O.A.No. 1329 of 1997

Between:

C.Subbarayadu & others.

...Applicants

And

Shri V. Rambabu,
Telecom District Manager,
Thirupathi.

...Respondent

REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT

I, **V.Rambabu**, S/o **V.Ramachandraiah**, aged 42 years R/o Hyderabad solemnly affirm and state on oath as follows.

1. I am working as **Deputy General Manager(Sw & Plg)** and earlier I worked as TDM, Thirupathi and I am respondent in the present Contempt Petition. I am well acquainted with the facts of the case. All the material averments save those that are expressly admitted herein are denied and the applicants are put to strict proof of the same.
2. It is submitted that as per the written statement of Shri V.Ramakrishnaiah STT/Tirupathi all the applicants herein were engaged by him in various Telegraph Offices of Chittoor district. All of them were engaged by him in violation of instructions of DOT issued from time to time. There was a serious objection from the Audit party regarding engagement of these applicants in telegraph offices without following appropriate rules of the department by the then Superintendent in-charge Shri V.Rama Krishnaiah. It is also suspected that some un-scrupulous methods were used by that officer in engagement of these applicants. Disciplinary action is contemplated against the

Attestor

G. V. R. SETTY
A G.M. (Legal)
for C.G.M. Telecom, A.P. Hyd.

Rambabu
Deputy General Manager (SWP)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001.

officer and he is kept under suspension w.e.f.19.8.97 all the applicants were subsequently disengaged and none of the applicants in the OA were working on 3.10.97.

The work of delivery of telegrams hither to done by these applicants is re-distributed among the regular staff.

3. It is submitted the Hon'ble CAT,HD on 3.10.97 ordered in OA 1329/97 as follows:

(a) The applicants may file a representation if so advised within 4 weeks from today to the respondents with the same relief as contained in this OA.

(b) If it is found that the applicants are actually working as of today the respondents shall examine their claim and take appropriate decision in the matter. A copy of the decision so arrived at shall be conveyed to the applicants. In case the claim is rejected, reasons for rejection shall be communicated.

(c) The applicants shall not be dis-engaged until a period of 2 weeks expires after the decision on the representation is taken.

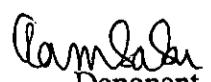
4. It is submitted that none of the applicants were actually working as on the date of the judgement. None of the applicants has filed representation with me as TDM, Tirupathi or in my office till the expiry of 4 weeks time given by this Hon'ble Tribunal. However, the applicants submitted representations direct to the CGM Telecom, Hyderabad which were received by CGM Telecom, Hyderabad on 7.11.97. None of those representations were enclosed with the details of their engagement etc. As such the office of CGM Telecom, Hyderabad has asked these applicants for submission of the particulars regarding their initial engagement as Casual Mazdoors alongwith a copy of employment exchange letter sponsoring their names and certified copy of their working days particulars from the date of initial engagement vide CGMT, HD letter No.TA/TFC/OA No.1327/97, dated 5.12.97. A copy of the letter addressed to applicant


Attestor

G. V. R. SETTY

A G.M. (Legal)

for C.G.M. Telecom, A.P. Hyd.


Deponent
Deputy General Manager (SWP)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001.

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no.1 herein is enclosed as Annexure R1. Similar letters were addressed to all the applicants.

5. It is submitted that in reply to the above letter most of the applicants submitted that they were engaged on oral orders of Shri V.Rama Krishnaiah, Superintendent in-charge, CTO, Thirupathi and asked CGM to verify the records of Superintendent In charge CTO, Thirupathi for their continuous engagement and the vouchers signed by them while receiving payment. However, the applicant no.1 and deponent in this CP in his reply dated 20.1.98(Copy enclosed as Annexure R2) stated that he was engaged on oral orders of one Mr.K.Sampath Kumar, whose designation is not disclosed by the applicant, instead of forwarding certified copy of working days particulars he furnished an un-signed statement in the proforma called for. The replies received from the applicants clearly establish that these applicants were engaged by the then CTO, Superintendent in violation of the instructions of DOT, ND.

6. It is submitted in reply to Para 3 of the Contempt Application that though the applicants failed to submit their representations in time and without giving any information necessary to establish their claim as stipulated by this Hon'ble Tribunal, the CGMT,HD is considering their representations. The delay in taking decision in this regard is only due to the un-cooperative attitude of the applicants. The CGMT,HD on 6.11.97 instructed me to forwarded the representations of the applicants if any received alongwith para-wise comments and not to dis-engage the applicants till an appropriate decision is taken and communicated to the applicants. As the applicants were already dis-engaged prior to the order of this Hon'ble Tribunal the question of dis-engagement after the directions of Hon'ble Tribunal does not arise. The applicants mis-lead this Hon'ble Tribunal during the hearing of the OA on 3.10.97 that they were working.

7. It is submitted that I am having highest regard and respect to this Hon'ble Tribunal and there is no dis-obdience of the orders of this Hon'ble Tribunal.

Attestor

G. V. R. SETTY
A.G.M. (Legal)
for C.G.M. Telecom, A.P. Hyd.

Champaka
Dependent
Deputy General Manager (SWP.)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001.

In view of the above, it is submitted that there are no merits in the Contempt Application. Hence, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the CP and pass such other order or orders as the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

G. V. R. Setty
DEPONENT

Deputy General Manager (SWP.)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001,

**Solemnly sworn and signed
before me on this 3rd day
of April, 1998 at Hyderabad.**

Dee
ATTESTOR

G. V. R. SETTY
A.G.M. (Legal)
for C.G.M. Telecom, A.P. Hyd.

DEPARTMENT OF TELECOMMUNICATIONS
Office of the Chief General Manager Telecom, A.P.
No. TA/TFC/O.A.NO.1329/97 Dated at HD-1

To

Shri G. Subbaryudu,

C/o Telegraph Offices/Telecom Centres,

Tirupathi

Sub:-Casual labour- Grant of Temporary Status-Reg

Ref:- Your representation dated 18-10-97

Please refer to your representation dated 18-10-97 addressed to The Chairman, Telecom Commission, New Delhi, copy of which was received in this office on 7-11-97. You are hereby asked to furnish the following information preferably within a month so as to consider the claims raised in your representation.

1. Order of your initial engagement as Casual Mazdoor along with copy of employment exchange letter sponsoring your name.
2. Certified copy of your working days particulars from the date of initial engagement in the following proforma.

Sl. No.	Month & Year	No. of days	Work order No.	Muster No.	Name & Desn.	Name & Desn.	Roll. No. of Supervisor	of Supervisor

The above information may please be got attested by Supdt I/c, CTO, Tirupathi for presenting original records to him for verification.

DESPATCHED

- 5 DEC 1997

G.V.R SETTY

Asst. General Manager (Admin)
for C.G.M. Telecom, A.P. Circle,
Hyderabad.

Copy To:-

1. The TDM, Tirupathi
2. The Supdt I/C, CTO, Tirupathi. The officer is directed to verify from records the information furnished by the representee, attest and forward the same to this office under intimation to TDM, Tirupathi.

From

C. SUBBA RAYUDU

Part-time Casual Labour,
Telegraph Office/ Telecom Centre,
SRIKALAHASTI - 517644

To

The Chief General Manager,
Telecommunications,
Andhra Pradesh Circle,
H Y D E R A B A D - 500 001.

(Through proper Channel)

Respected Sir, :

Sub:- Casual Labour - Grant of Temporary Status -- reg.

Ref:- SHQs Lr. No. TA/TFC/U.A. No.1329/97 dtd -11-97

- 000 -

I humbly submit the following for favour of sympathetic consideration and judicious disposal.

I was served with the copy of the above referred letter on 15-12-97.

I submit that I was initially engaged as casual mazdoor on 08-08-1992 on the basis of the oral orders of Sri. K. SAMARTH KUMAR. No orders in writing were issued to me in connection with my engagement as casual mazdoor. However the continuous engagement of me as casual mazdoor is evident from the records maintained at SUPERINTENDENT I/C TIRUPATI-CTC, Leonigunta S.V. UNIT TC

In this connection the vouchers signed by me while receiving the payments may please be referred to. I further submit that I was not sponsored by the Employment exchange and the same was not insisted at the time of my engagement. However my employment exchange registration Number is 10482/83.

I am also furnishing herewith the particulars of the working days put in by me as casual mazdoor as per the proforma indicated in the above cited letter.

I earnestly request you to kindly consider my case for conferring temporary status and regularisation.

Thanking you,

Yours faithfully,

C. Subbarayudu

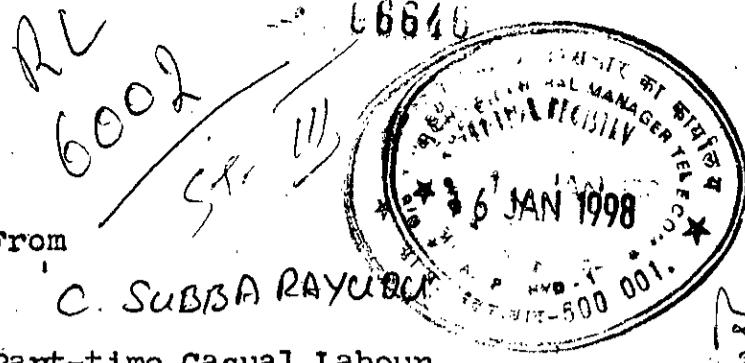
PART-TIME CASUAL LABOUR.

(C. Subbarayudu)

Encl:- Particulars of working days.

Dated at 20.1.98 Tirupati
the January 1998.

Copy directly posted to C G M T Hyderabad
to save delay



Annexure 2
17
94
page 6

Name of CASUAL LABOUR: C. SUBBARAYUDU.

page ⑦

PRO-FORMA

Sl.No.	Month and Year	No. Of Days	Work Order No./ TI-117 Messenger slip.	Muster Roll No. or Duty chart	Name and Desgn. of Supervisory Officer	Name and Desgn. of Supervisory Officer.
(1)	August-92 to August-97	5 years	TI 117 Slip available at TC-SriKalahasti, & CTO-Tirupati TC-S.V.university	Duty chart available at CTO-TRP	Sri. M.D. Munear SS(O) TC-SriKalahasti	Sri. K. Sampath Kumar J.T.O CTO - Tirupati

Call:7

Department Of Telecommunications

From

7

CERTIFICATE

This is to certify that

Sri.C.Sabbarayudu, Casual Labourer of Central Telegraph Office, Tirupati is now working at RAJIVNAGAR TELECOM CENTRE TIRUPATTI FROM 13-4-1992.

11-317591

B.80. : 13-43-993.

శాస్త్ర (నీ బిల్లు)
SUPERINTENDENT, TEL. & TFC
శిఫ్టు / టెలి ఏ ఆ
MEDIA / TEL. & TFC ENTRE
రెజిస్టర్ / టెలి ..
RAJINAGAR TIRUPATI

दूरसंचार विभाग
DEPARTMENT OF TELECOMMUNICATIONS

TELEGRAPH MASTERS
TELECOM CENTRE
RENIGUNTA

मेवा में
TO

S. No.

दिनांक
Dated at.....

certificate.

This is to certify that Sri C. Subbarayudu
part-time casual labourer worked in the office of
Telecom centre Renigunta 6 Hours per day from
1-8-94 to 1-12-94 6-7-95 to 29-12-95 and
4-1-96 to 6-8-96 to deliver Telegrams and as
Farash

Date:- 16-8-96
place:- RENIGUNTA

Ch. Venkateswaran
(C. VENKATESWARAN)
TELEGRAPH MASTERS
TELECOM CENTRE
RENIGUNTA



Page 9

20

In The Central Administrative Tribunal

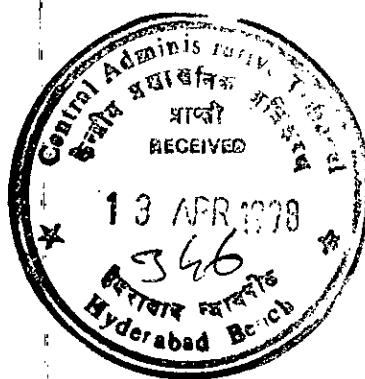
At Hyderabad.

C.P. No. 8/98

IN

O.A. No. 1329/97

Reply Statement



Recd by
TST/98

Filed by: J.R. Gopala Rao
Addl CGS

Filed on: 12-4-98

Recd by
TST/98

M.O.C

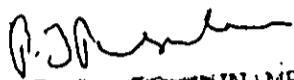
.I.

ELECOMMUNICATIONS : : ANDHRA PRADESH
TELECOM-CENTRE, SRIKALAHASTI - 517644.

CERTIFICATE OF NUMBER OF DAYS WORKED

This is to certify that Shri C. Subbarayudu S/O C. Venkataiah worked as Contract Labourer in this office for a period of 724 days starting from 8-8-1992 to 31-7-1994 continuously and he performed the duties of Farash, Watering, Cleaning and delivery of Telegrams during the above period.

Place: Srikalahasti
Dtd: 10-01-1998.


(SMT P. VENKATESWARA NAMBY)
TELECOM CENTRE
SRI KALAHASTI

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD
BENCH AT :: HYDERABAD

C.P.NO. 8 OF 1998

IN

O.A.NO. 1329 OF 1997

Between:

C.Subbarayudu and 17
others .. Petitioners/
Applicants

And

Shri.V.Rambabu,
Telecom District Manager,
Tirupati and others .. Respondents/
Respondents

REJOINDER AFFIDAVIT FILED ON BEHALF OF THE
PETITIONERS

I, C.Subbarayudu, S/o.Chinnam Ven-
kataiah, aged about 31 years, Occ:Casual Labourer,
CTO, Tirupati, R/o.H.No.467/A, Upstairs, Kotako-
mmala Street, Tirupati, having temporarily come
down to Hyderabad, do hereby solemnly affirm and
state on oath as follows:

1. I am the Petitioner No.1 in the above
C.P and as such I am well acquainted with the
facts of the case. I am filing this rejoinder
affidavit on behalf of the other Petitioners also
who authorized me to do so.

2. I have perused the Reply Affidavit
filed by the Respondents in the above C.P and I
deny all the allegations save those that are spe-
cifically admitted by me hereinafter. The Respon-
dents are put to strict proof of the rest of the
allegations.

3. It is respectfully submitted that the
Respondent has made wild and vague allegations
against the Petitioners in paragraph 2 of reply

Received
RShakti
fr: J.R. Gopala Rao
30/8/99.

affidavit without any evidence and basis. The same was denied and the respondent is put to strict proof. It was admitted that the Petitioners were engaged as casual labourers for the routine and perennial nature of work of delivery of telegrams in the department. It was also admitted that the said work is now being attended to by the regular staff which means that there is no cessation of work and that the work is available. It is claimed that the Petitioners were terminated prior to 03-10-1997 on the ground that their initial engagement as casual labourers was suspected to have been made by the then Superintendent I/C on some unscrupulous methods. The alleged termination of the Petitioners on the said ground amounts to casting stigma and imposing the punishment of removal from service in ~~the~~ utter violation of principles of natural justice. It was vaguely stated that the Petitioners were terminated without furnishing any dates of disengagement. It is not correct that they were terminated prior to 3.10.1997. In fact we were not permitted to discharge our duties after 3.10.1997 without passing any orders of termination or retrenchment. The action of the respondent in disengaging us is violative of the instructions issued by the Chief General Manager, Telecom, A.P.Circle, Hyderabad and principles of natural justice. As such they are deemed to be in service with all consequential benefits. It is not correct

On the Central Administrative Tribunal
Hyderabad

C.P. no. 8 of 98

vs

O.A no. 1329 of 97



Plaintiff's Affidavit

Filed on 30-8-99

Served on the other side
See first page
Am

V. Venkateswara Rao
Counsel for Petitioners

Recd 30/8/99
30/8/99

31/8/99

that the engagement of the Petitioners as casual labourers was in violation of the Department of Telecommunications, New Delhi. It is wholly false that the Petitioners mislead this Hon'ble Tribunal. We were working on 3.10.1997 as ~~swagka~~ casual labourers. It is only the respondent who is trying to mislead this Hon'ble Tribunal that we were disengaged prior to 3.10.1997 without showing any evidence of orders of termination or retrenchment.

In the facts and circumstances explained above, the respondent is guilty of exfacie contempt of this Hon'ble Tribunal as he wilfully and deliberately disobeyed the orders of this Hon'ble Tribunal and as such he deserves deterrent punishment as per the provisions of Contempt of Courts Act.

Sworn and signed before
me on this the ~~22~~²⁹ day
August, 1999.

C. Subbarayulu
(C. C. SUBBARAYUDU)
Deponent

Udhu.
Counsel for Petitioners

Before me
V.S.Jay
Advocate :: Hyderabad

25

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

CP 8/98 in OA 1329/97

DATE OF ORDER : 31.8.1999.

Between :-

1. C.Subbarayudu	20.S.Karunakara Varma
2. P.N.Giri Prasad	21.K.Raveendra
3. S.Kanaka Durgaiah	22.P.Seshadri
4. P.Venkata Ramana	23.H.Kasim Sharif
5. C.Ranganayakulu	24.P.Manjula
6. M.Sekhar	25.P.Raghupathi
7. K.Muniraja	26.A.Nagaraju
8. S.Venkatar mana	27.V.Chandra Sekhar
9. P.Thayub	28.K.Shivaji
10.G.Venkateswarlu	29.K.Manohara
11.M.Seetha Ramudu	30.S.Mahaboob Basha
12.P.S.Madhusudhan	31.P.Balaji
13.P.Surendra Babu	32.R.Saravana Perumal
14.K.Kumar	33.S.Ghouse Basha
15.M.Venkataraghavulu	34.N.Abrahim Kennedy
16.S.Sudhakara Varma	35.M.Ayub Ali Khan
17.A.V.S.Prasad	36.G.Murali
18.P.Kumar	37.T.Chippa Chenchaiah
19.P.Venkataiah	... Applicants

And

1. Sri Rambabu
Telecom District Manager, Tirupathi.

... Respondents

--- --- ---

Counsel for the Applicants : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri J.R.Gopal Rao, Addl.CGSC

--- --- ---

CORAM:

THE HON'BLE JUSTICE SHRI D.H.NASIR : VICE-CHAIRMAN

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

(Order per Hon'ble Justice Shri D.H.Nasir, Vice-Chairman).

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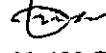
- 2 -

(Order per Hon'ble Justice Shri D.H.Nasir, Vice-Chairman).

Heard the learned counsel for the applicant and Sri J.R. Gopal Rao, learned Standing Counsel for the Respondents.

2. From the perusal of para-4 of the reply filed in this proceedings, it appears that the direction given by the Tribunal in OA 1329/97 by ~~its~~ order dated 3-10-1997 cannot be treated as having been violated by the Respondents and therefore we do not find any cause to believe that contempt has been committed. If the applicant's feel aggrieved by ^{the} ~~a~~ decision of the Respondents, they are advised to take a separate proceedings but this contempt petition in any way does not lie. Hence the same is closed.


(R. RANGARAJAN)
Member (A)


(D.H. NASIR)
Vice-Chairman


Dated: 31st August, 1999.
Dictated in Open Court.

av1/

10/2/99
1ST AND II NO COURT

COPY TO :-

1. HON. J.
2. HRRN M (A)
3. HSSP M (D)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H.NASIR
VICE - CHAIRMAN

THE HON'BLE MR.R.RANGARAJAN
MEMBER (ADMN.)

THE HON'BLE MR.B.S.JAI PARAMESWARA
MEMBER (JUDL)

* * *
DATE OF ORDER: 31/8/99

MA/RA/OP.NO. 8198
IN
RA. NO. 1329/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

OP. CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

6 copies

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
शुष्ण / DESPATCH

10 SEP 1999

हैदराबाद आवाहन
HYDERABAD BENCH

CP 8/98 in OA 1329(97)

DATE	OFFICE NOTE	ORDER
5-10-98	List the matter after three weeks.	HBSSP M(S) HHRP M(A)
	None present. Post, after vacation.	
7-1-99		HHRP M(A) DHNJ HVC
	<u>24/8/99</u> Applicant not represented. Mr. JR. Gopala Rao, for the respondent. Post on 30/8/99.	
30.8.99	Post tomorrow.	HRDN R(A) HDHNJ VC
		HRDN HDHNJ M(H) VC

av1/

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

O.A. No. 8

of 1998

C. Subbarao & Ors

Applicant(s)

VERSUS

Sri Rammabu, Telcomstl Orv
Trubal

Respondent(s)

Date

Office Note

Order

26.8.98

List ^{this} C.P. for admission
being on 15.8.98

HQSP

HQRS

M(S)

M(S)

SSJ

List this O.A. on 23.8.98
otherwise.

HQSP
M(S)

HQSP
MCA

C.P. 8/98 in O.A. 1329/97.

20/3/98.

Heard Mr. V. Venkateswara
Rao for the applicant and
Mrs. Sakthi for Mr. J. R. Gopal
Rao for the respondent.

Issue notice.
List it for admission
hearing on 3/4/98.

HBSIP
M(T)

HRRN
M(B)

2k-4-98

End this case before the Bench
wherein Hon'ble Sri H. Rayendra
Prasad, Member (H) is sitting.

HBSIP

M(T)

HRRN

M(B)

CONTEMPT PETITION FILED UNDER SECTION 18 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.NO.

8

OF 1997

IN

C.A.NO.

1329

OF 1997

Between:

1. C. Subbarayudu, S/o. Chinnam Venkataiah, aged about 29 years, Occ: Casual Labourer, CTO, Tirupati, R/o.H.No.467/A, Upstairs, Kotakommala Street, Tirupati
2. P.N. Giri Prasad, S/o. P.G. Natarajan, aged about 27 years, Occ: Casual Labourers, CTO Tirupati, R/o.H.No.3-287, Pagadamanu Street, Greamspet, Chittoor - 2
3. S. Kanaka Durgaiah, S/o. S. Desaiah, aged about 27 years, Occ: Casual Labourer, R/o.H.No.9-320, Lingeshwar Nagar, Tirupati
4. P. Venkata Ramana, S/o. P. Subbarayudu, aged about 32 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No.20-1-262/B, Korlagunta, Marutinagar, Tirupati
5. C. Ranganayakulu, S/o. Chinnam Venkataiah, aged about 22 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No.467/A, Kotakommala Street, Tirupati
6. M. Sekhar, S/o. M. Gangaiah, aged about 27 years, Occ: Casual Labourer, CTO Tirupati, R/o.H.No. Sevappa Colony, Avilala, Tirupati (North)
7. K. Muniraja, S/o. K. Krishnaiah Chetty, aged about 26 years, Occ: Casual Labourer, TC Nagari, R/o.H.No.4-27, Janapaline, Nagari
8. S. Venkataramana, S/o. S. Chennabba, aged about 28 years, Occ: Casual Labourer, TO Palamoor, R/o.T.M. Gollapalli, Pedda Upparapalli Post, Somalia-Mandal, Chittoor Dist.
9. P. Thayub, S/o. P. Fazluddin Saheb, aged 21 years, Occ: Casual Labourer, TC Pakala, R/o.H.No.18/89, Subedar Street, Punganur
10. G. Venkateswarlu, S/o. G. Subba Ramaiah, aged about 21 years, Occ: Casual Labourer, TC: Punganur, R/o. Matli Thogatapalli, Agraharam Post, Veeraballi Mandal, Rayachoti.
11. M. Seetha Ramudu, S/o. M. Sadguru Murthy, aged about 23 years, Occ: Casual Labourer, ZTO, Tirumalai Hills, R/o. Govindapalli, Sirvel, Nandyal
12. P. S. Madhusudhan, S/o. R. S. Surendra Kumar, aged about 22 years, Occ: Casual Labourer, CTO Tirupati, R/o. P.C.12, Police Line, Tirupati

13. P.Surendra Babu, S/o.P.Narayana, aged about 25 years, Occ:Casual Labourer, T.C.Renigunta, R/o.Santhapalli village, Kanipakam Post, Thavanempalli Mandal, Chittoor
14. K.Kumar, S/o.K.Venkatarathnam, aged about 24 years, Occ:Casual Labourer, T.C.Punganur, R/o.Kalvathi village, Thirulapalli Post, Peddepangari Mandal, Chittoor
15. M.Venkataraghavulu, S/o.M.Ankaraiah, aged about 25 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.Manga Nello Post, Sullurpet, Nellore District
16. S.Sudhakara Varma, S/o.S.Nadheva Raju, aged about 29 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.Opp,Kandriga village, Via-Vadamalapet Mandal, Chittoor District.
17. A.V.S.Prasad, S/o.A.Venkata Ramana, aged about 18 years, Occ:Casual Labourer, ZTO, Tirumalai Hills, R/o.C.Type-47, Tirumala
18. F.Kumar, S/o.P.Regaaiah, aged about 22 years, Occ:Casual Labourer, TC Kalahasti, R/o.Chulopalli village, Kepugunney Post, Sri Kalahasti
19. P.Venkataiah, S/o.P.Veeraswamy aged 26 years, Occ:Casual Labourer, T.C.Kalahasti, R/o.Chulopalli village, Kepugunney Post, Sri Kalahasti
20. S.Karunakara Varma, S/o.S.Kotsware Raju, aged about 23 years, Occ:Casual Labourer, T.C.Chandragiri R/o.Kandriga village, Vadamalapeta Mandal, Chittoor District
21. K.Raveendra, S/o.Kothakota Munikrishnaih, aged about 22 years, Occ:Casual Labourer, TC Pakala, R/o.Appalaya Gunta village, Vadamalapeta Mandal, Chittoor
22. P.Seshadri, S/o.P.Venkataremaih, aged about 22 years, Occ:Casual Labourer, CTO Tirupati R/o.Upperallalli village, Tirupati
23. H.Kasim Sharif, S/o.M.Hussain Sharif, aged about 21 years, Occ:Casual Labourer, TC:SVU Tirupati, R/o.H.No.31-A, Bazar Street, Tirupati
24. P.Manjula, S/o.P.Chandra Reddy, aged about 24 years, Occ:Casual Labourer, TC:SVU, Tirupati, R/o.H.No.53, Nehru Street, Tirupati
25. P.Raghupathi, S/o.P.Anjaneyulu, aged about 25 years, Occ:Casual Labourer, CTO:Tirupati, R/o.H.No 6-13-23/B, Ambedkar Colony, Tirupati

// 3 //

26. A.Nagaraju, S/o.A.Rangaswamy aged about 22 years, Occ:Casual Labourer, DTO:Puttur, R/o.Vepagunta village, Puttur Mandel, Chittoor

27. V.Chandra Sekhar, S/o.V.Krishnaiah, aged about 29 years, Occ:Casual Labourer, CTO: Tirupati, R/o.T.P.Kota village, Nagalapuram Mandel, Chittoor Dist.

28. K.Shivaji, S/o.K.Peddabba, aged about 19 years, Occ:Casual Labourer, DTO Chittoor, R/o.D.No.24-193, Kodigomta Palle, Chittoor

29. K.Manchare S/o.K.Naguliah, aged 27 years, Occ:Casual Labourer, TC Piler, R/o.Telcom Centre, Piler.

30. S.Mahabob Basha, S/o.S.Mazeed, aged about 29 years, Occ:Casual Labourer, CTO:Tirupati, R/o.Thondavooda Post, Chandaigiri Mandel

31. P.Dalaji, S/o.P.Subramanyam, aged 22 years, Occ:Casual Labourer, CTO Tirupati, R/o. H.No.503/D, B.R.Colony, Tirupati

32. R.Saravana Perunal, S/o.V.Ramachandran, aged about 25 years, Occ:Casual Labourer, R/o.H.No.28-288, E.Cross, Ramagar Colony, Chittoor

33. S.Ghouse Basha, S/o.K.S.Basha, aged 19 years, Occ:Casual Labourer, DTO Chittoor R/o.D.No.5-612, Aragonda Road, Santhapet, Chittoor

34. N.Abraham Kennedy, S/o.M.Mahimai Dass, aged 21 years, Occ:Casual Labourer, DTO Chittoor, R/o.H.No.2-293, Readspet, Chittoor

35. M.Ayub Ali Khan, S/o.M.Satherkhan, aged 35 years, Occ:Casual Labourer, R/o.xQkktasx R/o TC Piler, R/o.Prakesam Road, Piler

36. G.Murali, S/o.G.Krishnappa Chetty, aged about 19 years, Occ:Casual Labourer, TC:SVU Tirupati, R/o.Haridwara Colony, Near Chenna Reddy Colony, Tirupati

37. T.Chinna Chenchaiah, S/o.T.Naraiah, aged about 23 years, Occ:Casual Labourer, CTO, Tirupati, R/o.Sanjay Gandhi Nagar, 10th Street, AK Nagar, Nellore .. Petitioners/

1x Applicants

A N D

Sri.
Telecom District Manager,
Tirupati

.. Respondents/

(Respondents 1 to 3 to the Hm OA are not necessary, further to his petition)

For the reasons stated in the accompanying
affidavit, it is prayed that this Hon'ble Tribunal

may be pleased to take cognizance of the Contempt of Court against the Respondent herein and punish him according to Law for his wilful and deliberate disobedience of the orders of this Hon'ble Tribunal passed in OLA.No.1329/97 dated 03.10.1997 while directing him to implement the judgment forthwith and pass any other order or orders as is deemed fit, proper, necessary and expedient in the circumstances of the case.

Hyderabad,

Dt: -12-1997

Counsel for the Petitioners

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.NO.

OF 1997

IN

O.A.NO. 1329

OF 1997

Between:

C.Subbarayudu and others

.. Petitioners/
Applicants

And

Sri. *Ramulu*
Telecom District Manager,
Tirupathi

.. Respondent/
Respondent No.4

A F F I D A V I T

I, C.Subbarayudu, S/o.Chinnam Venkataiah, aged about 29 years, Occ:Casual Labourer, CTO, Tirupati, R/o. H.No.467/A, Upstairs, Kotikommal Street, Tirupati, do hereby solemnly affirm and state on oath as follows:

1. I am the Petitioner No.1 herein and hence I am well acquainted with the facts of the case. I am filing this affidavit on behalf of the other Petitioners also who authorised me to do so.
2. I respectfully submit that we filed the above O.A seeking directions to the Respondents to grant temporary status and regularisation of our services by extending the Casual Labourers (Grant of Temporary Status & Regularisation) Scheme, 1989 with all consequential benefits. All of us have completed morethan 240 days of work every year and have become eleigible for grant of temporary status and regularisation. The said O.A filed by us was disposed of on 3.10.97 with the following directions:

- i) The applicants may file a representation, if so advised, within four weeks from today to the respondents with the same relief as

contained in this O.A.

ii) If it is found that the applicants are actually working as of today, the respondents shall examine their claim and take appropriate decision in the matter. A copy of the decision so arrived at shall be conveyed to the applicants. In case the claim is rejected, reasons for rejection shall be communicated.

iii) The applicants shall not be disengaged until a period of two weeks expires after the decision on the representation is taken.

3. Accordingly, we submitted our representations enclosing a copy of the order of this Hon'ble Tribunal ~~immediately~~. As is evident from the directions issued by this Hon'ble Tribunal as extracted above the Respondents have to examine our claim for grant of temporary status and regularisation and take appropriate decision in the matter and the said decision has to be conveyed to us. We should not be disengaged until a period of two weeks expires after the decision on the representation is taken adversely. The office of the Chief General Manager, Telecommunications, A.P. Circle, Hyderabad has also directed the Respondent herein to implement the order of this Hon'ble Tribunal in O.A.No.1329/97 vide its letter dt.06.11.97. It is categorically mentioned in the said letter issued by the office of the Chief General Manager, Telecommunications that the applicants should not be disengaged until an appropriate decision is made and communicated to the applicants. However, in utter disregard to the directions of this Hon'ble Tribunal as well as the letter dated 6.11.1997 of the office of the Chief General Manager, Telecommunications, A.P.Circle, the Respondent herein disengaged us without passing any orders of termination or retrenchment. The salaries

due to us are also not paid to us. This amounts to wilful and deliberate disobedience of this Hon'ble Tribunal dated 03.10.1997 in C.A.No.1329/97. Wilful and deliberate disobedience of the orders of this Hon'ble Tribunal by the Respondent herein amounts to grave and ex facie contempt of Court attracting the provisions of the Contempt of Courts Act. The Respondents have shown scant respect to the judgment of this Hon'ble Tribunal and it sets a bad example to the common men. It is not open to the respondent to interfere with the course of justice by wilful and deliberate disobedience of the orders of this Hon'ble Tribunal. The respondent herein deserve deterrent punishment under the provisions of Contempt of Courts Act for his wilful and deliberate disobedience of the orders of this Hon'ble Tribunal.

4. Hence, in the interest of justice it is prayed that this Hon'ble Tribunal may be pleased to take cognizance of the Contempt of Court against the respondent herein and punish him according to Law for his wilful and deliberate disobedience of the orders of this Hon'ble Tribunal passed in C.A. No.1329/97 dated 03.10.1997 while directing him to implement the judgment forthwith and pass any other order or orders as is deemed fit, proper, necessary and expedient in the circumstances of the case.

Sworn and signed before me
on this the day of De-
cember, 1997.

Deponent

Before me

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.NO.

OF 1997

IN

O.A.NO.

1329

OF 1997

Between:

C. Subbarayudu and others

.. Petitioner/
Applicants

And

Sri. *Ramdasu*
Telecom District Manager,
Tirupati

.. Respondent/
Respondent No.4

MATERIAL PAPERS INDEX

S.No.	Date	Description	Page No.	Ann.No.
1.	06.11.97	Letter from the O/o, C.G.M., A.P. Circle to Respondent	01	I
2.	03.10.97	Order in O.A.No.1329/97 by this Hon'ble Tribunal	02 to 04	II

Hyderabad,

Dt: -12-97

[Signature]
Counsel for the Petitioners

DEPARTMENT OF TELECOMMUNICATIONS

ब्रह्म प्रभु प्रवन्धक त्रुपात्र का कानूनी वार्ता
FROM : OFFICE OF T.D.M.
Chief General Manager, Telecommunications
भृष्ट प्रवन्धक, हैदराबाद-500 001.
Andhra Pradesh, Hyderabad-500 001

To,
The Telecom District Manager
T I R U P A T I.

Lr no . TAY/LC/5-254/97

dtd the .11.97

Sub :-Implementation of judgement of O.A.No
1329/97 filed by sri.C.Subbarayudu and
26 others casual labouer -reg.

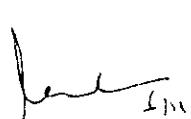
A copy of judgment dated 3-10-97 in 'O.A. NO
1329/97 is sent herewith.

The Hon'ble Central Administration Tribunal, Hyderabad
has disposed off the OA with a direction to the department
to dispose off the representation.

Hence you are requested to forward the representations of the applicants if any received along with parawise comments to this office and not disengage the applicants until an appropriate decision is made communicated to the applicants.

Matter may be treated as Most Urgent.

Encl:-As above.


Asst. General Manager (Legal)
O/o C.G.M. Telecom
A.P. Hyderabad.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

Ch. 329/97
OA-3098/97

dated : 3-10-97

Between

1. C. Subbarayudu
2. P.N. Giri Prasad
3. S. Kanaka Durgaiah
4. P. Venkata Ramana
5. C. Ranganayakulu
6. M. Sekhar
7. K. Muniraja
8. S. Venkataramana
9. P. Thayub
10. G. Venakteswarlu
11. M. M. Seetha Ramudu
12. P.S. Madhusudhan
13. S. Surendra Bahu
14. A. Kumar
15. M. Venkataraghavulu
16. S. Sudhakara Varma
17. A.V.S. Prasad
18. P. Kumar
19. P. Venkataiah
20. S. Karunakara Varma
21. K. Raveendra
22. P. Seshadri
23. H. Kasim Sharif
24. P. Majjula
25. P. Raghupathi
26. A. Nagaraju
27. V. Chandra Sekhar
28. K. Shivaji
29. K. Manohara
30. S. Mahaboop Basha
31. P. Balaji
32. R. Saravana Perumal
33. S. Ghose Basha
34. M. Abraham Kennedy
35. M. Ayub Ali Khan
36. G. Murali, and
37. T. Chinna Chenchiah

: Applicants

and

1. The Chairman
Telecom Commission
New Delhi

Dr



1329(57)
OASR. 3098/97

dated : 3-10-97

Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admn.))

Heard Mr. V. Venkateswara Rao for the applicants and Sri J. R. Gopal Rao for the respondents.

1. The facts of this case is similar to those contained in OA. 777/96 and OA. 813/97. The direction contained in the above OAs are applicable in this OA. Accordingly, the following directions are issued :
 - i) The applicants may file a representation, if advised, within four weeks from today to the respondents with the same relief as contained in this OA.
 - ii) If it is found that the applicants are actually wrong as of today, the respondents shall examine their claim and take appropriate decision in the matter. A copy of the decision so arrived at shall be conveyed to the applicants. In case the claim is rejected, reasons for rejection shall be communicated.
 - iii) The applicants shall not be disengaged until a period of two weeks expires after the decision on the representation is taken.
2. The OA is disposed of thus at the admission stage.

प्राप्ति की
CERTIFIED TO BE TRUE COPY

Signature
COURT OFFICER
Central Administrative Tribunal
State - 411 001
HYDERABAD BENCH

9/10/97

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL, HYDERABAD BENCH:HYD

C.P.NO.

OF 98

IN

O.A.NO.

1329

OF 97



CONTEMPT PETITION

MR. V. VENKATESWAR RAO
ADVOCATE

COUNSEL FOR THE PETITIONERS/
APPLICANTS

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

C.P.No. 8 of 1998
IN
O.A.No. 1329 of 1997

Between:

C.Subbarayadu & others.

...Applicants

And

Shri V. Rambabu,
Telecom District Manager,
Thirupathi.

...Respondent

REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT

I, **V.Rambabu**, S/o **V.Ramachandraiah**, aged 42 years R/o Hyderabad solemnly affirm and state on oath as follows.

1. I am working as **Deputy General Manager(Sw & Plg)** and earlier I worked as TDM, Thirupathi and I am respondent in the present Contempt Petition. I am well acquainted with the facts of the case. All the material averments save those that are expressly admitted herein are denied and the applicants are put to strict proof of the same.
2. It is submitted that as per the written statement of Shri V.Ramakrishnaiah STT/Tirupathi all the applicants herein were engaged by him in various Telegraph Offices of Chittoor district. All of them were engaged by him in violation of instructions of DOT issued from time to time. There was a serious objection from the Audit party regarding engagement of these applicants in telegraph offices without following appropriate rules of the department by the then Superintendent in-charge Shri V.Rama Krishnaiah. It is also suspected that some un-scrupulous methods were used by that officer in engagement of these applicants. Disciplinary action is contemplated against the

Attestor 3/

G. V. R. SETTY
A.G.M. (Legal)
for C.G.M. Telecom, A.P. Hyd.

Deponit

Deputy General Manager (SWP)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001.

officer and he is kept under suspension w.e.f.19.8.97 all the applicants were subsequently disengaged and none of the applicants in the OA were working on 3.10.97. The work of delivery of telegrams hither to done by these applicants is re-distributed among the regular staff.

3. It is submitted the Hon'ble CAT,HD on 3.10.97 ordered in OA 1329/97 as follows:

- (a) The applicants may file a representation if so advised within 4 weeks from today to the respondents with the same relief as contained in this OA.
- (b) If it is found that the applicants are actually working as of today the respondents shall examine their claim and take appropriate decision in the matter. A copy of the decision so arrived at shall be conveyed to the applicants. In case the claim is rejected, reasons for rejection shall be communicated.
- (c) The applicants shall not be dis-engaged until a period of 2 weeks expires after the decision on the representation is taken.

4. It is submitted that none of the applicants were actually working as on the date of the judgement. None of the applicants has filed representation with me as TDM, Tirupathi or in my office till the expiry of 4 weeks time given by this Hon'ble Tribunal. However, the applicants submitted representations direct to the CGM Telecom, Hyderabad which were received by CGM Telecom, Hyderabad on 7.11.97. None of those representations were enclosed with the details of their engagement etc. As such the office of CGM Telecom, Hyderabad has asked these applicants for submission of the particulars regarding their initial engagement as Casual Mazdoors alongwith a copy of employment exchange letter sponsoring their names and certified copy of their working days particulars from the date of initial engagement vide CGMT, HD letter No.TA/TFC/OA No.1327/97, dated 5.12.97. A copy of the letter addressed to applicant


Attestor

G. V. R. SETTY
A.G.M. (Legal)
for C.G.M. Telecom, A.P. Hyd.


Deponent

Deputy General Manager (SWP.)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001,

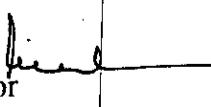
no.1 herein is enclosed as Annexure R1. Similar letters were addressed to all the applicants.

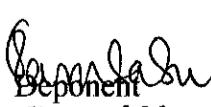
5. It is submitted that in reply to the above letter most of the applicants submitted that they were engaged on oral orders of Shri V.Rama Krishnaiah, Superintendent in-charge, CTO, Thirupathi and asked CGM to verify the records of Superintendent In charge CTO, Thirupathi for their continuous engagement and the vouchers signed by them while receiving payment. However, the applicant no.1 and deponent in this CP in his reply dated 20.1.98(Copy enclosed as Annexure R2) stated that he was engaged on oral orders of one Mr.K.Sampath Kumar, whose designation is not disclosed by the applicant, instead of forwarding certified copy of working days particulars he furnished an un-signed statement in the proforma called for. The replies received from the applicants clearly establish that these applicants were engaged by the then CTO, Superintendent in violation of the instructions of DOT, ND.

6. It is submitted in reply to Para 3 of the Contempt Application that though the applicants failed to submit their representations in time and without giving any information necessary to establish their claim as stipulated by this Hon'ble Tribunal, the CGMT,HD is considering their representations. The delay in taking decision in this regard is only due to the un-cooperative attitude of the applicants. The CGMT,HD on 6.11.97 instructed me to forwarded the representations of the applicants if any received alongwith para-wise comments and not to dis-engage the applicants till an appropriate decision is taken and communicated to the applicants. As the applicants were already dis-engaged prior to the order of this Hon'ble Tribunal the question of dis-engagement after the directions of Hon'ble Tribunal does not arise. The applicants mis-lead this Hon'ble Tribunal during the hearing of the OA on 3.10.97 that they were working.

7. It is submitted that I am having highest regard and respect to this Hon'ble Tribunal and there is no dis-obdience of the orders of this Hon'ble Tribunal.

Attestor


G. V. R. SETTY
 A.G.M. (Legal)
 for C.G.M. Telecom, A.P. Hyd.


 Depoent
 Deputy General Manager (SWP).
 O/o. the C.G.M. Telecom, A.P. Circle
 HYDERABAD-500 001,

In view of the above, it is submitted that there are no merits in the Contempt Application. Hence, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the CP and pass such other order or orders as the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

Deponens
DEPONENT

Deputy General Manager (SWP)
O/o. the C.G.M. Telecom, A.P. Circle
HYDERABAD-500 001.

Solemnly sworn and signed
before me on this day
of April, 1998 at Hyderabad.

jeet
ATTESTOR
G. V. R. SETTY
A.G.M. (Legal)
for C.G.M. Telecom, A.P. Hyd.

DEPARTMENT OF TELECOMMUNICATIONS
Office of the Chief General Manager Telecom, A.P.
No. TA/TFC/O.A.NO.1329/97 Dated at HD-1
To

Shri G. Subbareddy,
C/o Telegraph Offices/Telecom Centres,
Tirupathi

Sub:- Casual labour- Grant of Temporary Status-Reg
Ref:- Your representation dated 18-10-97

Please refer to your representation dated 18-10-97 addressed to The Chairman, Telecom Commission, New Delhi, copy of which was received in this office on 7-11-97. You are hereby asked to furnish the following information preferably within a month so as to consider the claims raised in your representation.

1. Order of your initial engagement as Casual Mazdoor along with copy of employment exchange letter sponsoring your name.
2. Certified copy of your working days particulars from the date of initial engagement in the following proforma.

Sl. No.	Month & Year	No. of days	Work order No.	Muster No.	Name & Desn. of Supervisor	Name & Desn. of Supervisory Officer
---------	--------------	-------------	----------------	------------	----------------------------	-------------------------------------

The above information may please be got attested by Supdt I/c, CTO, Tirupathi for presenting original records to him for verification.

DESPATCHED

5 DEC 1997

G.V.R SETTY

Asst. General Manager (Admn)
for C.G.M. Telecom, A.P. Circle,
Hyderabad.

Copy To:-

1. The TDM, Tirupathi
2. The Supdt I/C, CTO, Tirupathi. The officer is directed to verify from records the information furnished by the representee, attest and forward the same to this office under intimation to TDM, Tirupathi.

RV
6002
SL III
6640
6 JAN 1998
PART-TIME CASUAL LABOUR
MANAGER TELCO
500 001
SRIKALAHASTI - 517644

Annexure 2

page (6)

From

C. SUBBA RAYUDU

Part-time Casual Labour,
Telegraph Office/ Telecom Centre,
SRIKALAHASTI - 517644

To

The Chief General Manager,
Telecommunications,
Andhra Pradesh Circle,
HYDERABAD - 500 001.

(Through proper Channel)

Respected Sir,

Sub:- Casual Labour - Grant of Temporary Status -- reg.
Ref:- SHQs Lr. No. TA/TFC/U.A. No.1329/97 dtd -11-97

- 000 -

I humbly submit the following for favour of sympathetic
consideration and judicious disposal.

I was served with the copy of the above refferred
letter on 15-12-97.

I submit that I was initially engaged as casual
mazdoor on 08-08-1992 on the basis of the oral orders of
Sri. K. SAMPATH KUMAR. No orders in writting were issued
to me in connection with my engagement as casual mazdoor. However
the continuous engagement of me as casual mazdoor is evident from
the records maintained at SUPERINTENDENT I/c TIRUPATI-CTO, Benigunt-TC
S.V. United-TC

In this connection the vouchers signed by me while
receiving the payments may please be referred to. I further submit
that I was not sponsored by the Exm Employment exchange and the
same was not insisted at the time of my engagement. However my
employment exchange registration Number is 14484/83.

I am also furnishing herewith the particulars of
the working days put in by me as casual mazdoor as per the proforma
indicated in the above cited letter.

I earnestly request you to kindly consider my case
for conferring temporary status and regularisation.

Thanking you,

Yours faithfully,

C. Subba Rayudu

PART-TIME CASUAL LABOUR.

(C. Subba Rayudu)

Encl:- Particulars of
working days.

Dated at 20.1998 Tirupati
the January 1998.

Copy directly posted to C GMT Hyderabad
to save delay

Name of CASUAL LABOUR: C. SUBBARAYUDU.

Page 7

PRO-FORMA

Sl.No.	Month and Year	No. Of Days	Work Order No./ TI-117 Messenger slip.	Muster Roll No. or Duty chart
--------	----------------	-------------	--	----------------------------------

Name and Desgn. of
Supervisory Officer

Name and Desgn.
of Supervisory
Officer.

(1)	August-92 to August-97	5 years	TI 117 Slip available at TC - Sri Kolahasti, & CTO - Tirupati TC - S.V.university	Duty Chart available at CTO-TRP	Sri. M.D. Munear SS(O) TC - Sri Kolahasti	Sri. K. Sampath Kumar CTO - Tirupati J.T.O 1/2
-----	------------------------------	---------	---	---------------------------------------	--	--

(15)

Copy 7

Department Of Telecommunications

From

To

No. _____ Date 01

CERTIFICATE

This is to certify that

Sri. G. Subbarayudu, Casual Labourer of Central
 Telegraph Office, Tirupati is now working
 at RAJIVNAGAR TELECOM CENTRE TIRUPATI FROM
 13-4-1992.

Tirupati-517501
 Date: 13-4-1992

for
 SUPERINTENDENT, TELE TFC
 RAJIVNAGAR
 MEDIA / TELECOM CENTRE
 RAJIVNAGAR, TIRUPATI

दूरसंचार विभाग
DEPARTMENT OF TELECOMMUNICATIONS

TELEGRAPH MASTED
TELECOM CENTRE
RENIGUNTA

मेवा में
To

सं.
No..... दिनांक
..... Dated at.....

certificate.

This is to certify that Sri C. Subbarayudu
part-time casual labourer worked in the office of
Telecom centre Renigunta 6 Hours per day from
1-8-94 to 1-12-94 6-7-95 to 29-12-95 and
4-1-96 to 6-8-96 to deliver Telegrams and as
Farash

Date:- 16-8-96
place:- RENIGUNTA

Ch Venkateswarlu
(C. VENKATESWARLU)
TELEGRAPH MASTED
TELECOM CENTRE
RENIGUNTA



Page 10

M.O.C

E.I.
I.I.
ELECOMMUNICATIONS : : ANDHRA PRADESH
TELECOM-CENTRE, SRIKALAHASTI - 517644.

CERTIFICATE OF NUMBER OF DAYS WORKED

This is to certify that Shri C. Subbarayudu S/O C. Venkataiah worked as Contract Labourer in this office for a period of 724 days starting from 8-8-1992 to 31-7-1994 continuously and he performed the duties of Farash, Watering, Cleaning and delivery of Telegrams during the above period.

Place: Srikalahasti
Dtd: 10-01-1998.

P.J. Nambiar
(SMT P. J. NAMBIAR NAMBA)
TELECOM CENTRE
SRIKALAHASTI

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH AT :: HYDERABAD

C.P.NO.

8 OF 1998

IN

O.A.NO.

1329

OF 1997

Between:

C.Subbarayudu and 17
others

.. Petitioners/
Applicants

And

Shri.V.Rambabu,
Telecom District Manager,
Tirupati and others

.. Respondents/
Respondents

REJOINDER AFFIDAVIT FILED ON BEHALF OF THE
PETITIONERS

I, C.Subbarayudu, S/o,Chinnam Ven-
kataiah, aged about 31 years, Occ:Casual Labourer,
CTO, Tirupati, R/o.H.No.467/A, Upstairs, Kotake-
mmala Street, Tirupati, having temporarily come
down to Hyderabad, do hereby solemnly affirm and
state on oath as follows:

1. I am the Petitioner No.1 in the above
C.P and as such I am well acquainted with the
facts of the case. I am filing this rejoinder
affidavit on behalf of the other Petitioners also
who authorized me to do so.

2. I have perused the Reply Affidavit
filed by the Respondents in the above C.P and I
deny all the allegations save those that are spe-
cifically admitted by me hereinafter. The Respon-
dents are put to strict proof of the rest of the
allegations.

3. It is respectfully submitted that the
Respondent has made wild and vague allegations
against the Petitioners in paragraph 2 of reply

affidavit without any evidence and basis. The same was denied and the respondent is put to strict proof. It was admitted that the Petitioners were engaged as casual labourers for the routine and perennial nature of work of delivery of telegrams in the department. It was also admitted that the said work is now being attended to by the regular staff which means that there is no cessation of work and that the work is available. It is claimed that the Petitioners were terminated prior to 03-10-1997 on the ground that their initial engagement as casual labourers was suspected to have been made by the then Superintendent I/C on some unscrupulous methods. The alleged termination of the Petitioners on the said ground amounts to casting stigma and imposing the punishment of removal from service in ~~is~~ utter violation of principles of natural justice. It was vaguely stated that the Petitioners were terminated without furnishing any dates of disengagement. It is not correct that they were terminated prior to 3.10.1997. In fact we were not permitted to discharge our duties after 3.10.1997 without passing any orders of termination or retrenchment. The action of the respondent in disengaging us is violative of the instructions issued by the Chief General Manager, Telecom, A.P.Circle, Hyderabad and principles of natural justice. As such they are deemed to be in service with all consequential benefits. It is not correct

In the Central Admin. Tribunal
Hyderabad

C.P.no. 8 of 98
in

O.A.no. 1329 of 97



Rejoinder Affidavit

filed on 30.8.99

V. Venkateswar has
Counsel for Petitioners

that the engagement of the Petitioners as casual labourers was in violation of the Department of Telecommunications, New Delhi. It is wholly false that the Petitioners mislead this Hon'ble Tribunal. We were working on 3.10.1997 as ~~swasta~~ casual labourers. It is only the respondent who is trying to mislead this Hon'ble Tribunal that we were disengaged prior to 3.10.1997 without showing any evidence of orders of termination or retrenchment.

In the facts and circumstances explained above, the respondent is guilty of ex facie contempt of this Hon'ble Tribunal as he wilfully and deliberately disobeyed the orders of this Hon'ble Tribunal and as such he deserves deterrent punishment as per the provisions of Contempt of Courts Act.

Sworn and signed before
me on this the day
August, 1999.

Deponent

Before me

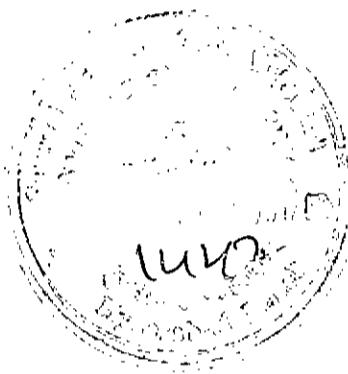
Advocate :: Hyderabad

In the Central Admin. Tribunal
Hyderabad.

C. P. No. 8 of 98

vs

D. A. No. 1329 of 97



Rejoinder Affidavit -

Filed on 30-8-99

V. Venkateswar Rao
Counsel for Petitioners.

113 22

and it is believed that the engagement of the casual labourers was in via

28. It is manifestly false that the Petitioners of

PP. 24/1 this Hon'ble Tribunal. We were papered
3.10.1997 as muzka casual labourer

only the respondent who is trying to
this Hon'ble Tribunal that we were dis-
prior to 3.10.1997 without showing any
of orders of termination or retrenchment

In the facts and circumstances

Explained above, the respondent is guilty of
ex facie contempt of this Hon'ble Tribunal as
he wilfully and deliberately disobeyed the
orders of this Hon'ble Tribunal and as such
he deserves deterrent punishment as per the

-Writs, etc. provisions of Contempt of Courts Act.

me on this the day

August 4, 1999.

Dependent

Before no

Advocate :: Hyderabad

Franklin Roosevelt
and the
United States

affidavit without any evidence and basis. The same was denied and the respondent is put to strict proof. It was admitted that the Petitioners were engaged as casual labourers for the routine and perennial nature of work of delivery of telegrams in the department. It was also admitted that the said work is now being attended to by the regular staff which means that there is no cessation of work and that the work is available. It is claimed that the Petitioners were terminated prior to 03-10-1997 on the ground that their initial engagement as casual labourers was suspected to have been made by the then Superintendent I/C on some unscrupulous methods. The alleged termination of the Petitioners on the said ground amounts to casting stigma and imposing the punishment of removal from service in an utter violation of principles of natural justice. It was vaguely stated that the petitioners were terminated without furnishing any dates of disengagement. It is not correct that they were terminated prior to 3.10.1997. In fact we were not permitted to discharge our duties after 3.10.1997 without passing any orders of termination or retrenchment. The action of the respondent in disengaging us is violative of the instruction issued by the Chief General Manager, Telecom, A.P.Circles, Hyderabad and principles of natural justice. As such they are deemed to be in service with all consequential benefits. It is not correct

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD
BENCH AT :: HYDERABAD

C.P.NO.

OF 1998

IN

O.A.NO.

1329

OF 1997

Between:

C.Subbarayudu and 17
others

.. Petitioners/
Applicants

and

Shri.V.Rambabu,
Telecom District Manager,
Tirupati and others

.. Respondents/
Respondents

ALJINAWI AFFIDAVIT FILED ON BEHALF OF THE
PETITIONERS

I, C.Subbarayudu, S/o.Chinnam Ven-
kataiah, aged about 31 years, Occasional Labourer,
C.P., Tirupati, H/o.H.No.467/A, Upstairs, Kotak-
anada Street, Tirupati, having temporarily come
down to Hyderabad, do hereby solemnly affirm and
state on oath as follows:

1. I am the Petitioner No.1 in the above
C.P and as such I am well acquainted with the
facts of the case. I am filing this rejoinder
affidavit on behalf of the other Petitioners also
who authorized me to do so.
2. I have perused the Reply Affidavit
filed by the Respondent's in the above C.P and I
deny all the allegations save those that are spe-
cifically admitted by me hereinafter. The Respon-
dents are put to strict proof of the rest of the
allegations.
3. It is respectfully submitted that the
Respondent has made wild and vague allegations
against the Petitioners in paragraph 2 of reply