

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 89/99

Date of Order : 11.3.99

BETWEEN :

M.Babaiah

.. Applicant.

AND

1. The Sub Divisional Officer, Telecom,
Guntakal.
2. The Sub Divisional Officer, Telecom,
Hindupur.
3. The Telecom District Manager,
Anantapur.
4. The Chief General Manager,
Telecommunication, Doorsanchar Bhavan,
Hyderabad.
5. The Sub Divisional Officer, Telecom,
Dharmavaram.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.T.V.V.S.Murthy

Counsel for the Respondents

.. Mr.B.N.Sharma

- - -

CORAM:

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

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

- - -

O R D E R

)((As per Hon'ble Shri R.Rangarajan, Member (Admn.))

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Mr.T.V.V.S.Murthy, learned counsel for the applicant
and Mr.B.N.Sharma, learned standing counsel for the respondents.




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2. The applicant has initially engaged as casual mazdoor on 9.9.85 and worked for 122 days, 31 days, 297 days, 276 days and 118 days in the years 1985, 1986, 1987, 1988, 1992 and 1993 respectively.

3. The applicant submits that he was disengaged erroneously and hence he should be re-engaged as casual labour.

4. This OA is filed praying a direction to the respondents to re-engage him as a casual mazdoor under R-2 in terms of various instructions issued by the Director General, Telecommunications and also as per the Lr.No.TA/IC/1-2/III, dated 21.10.91 and Lr.No.TA/RE/20-2/Rlgs/Corr. dated 22.2.93 issued by R-4.

5. The respondents in the reply admit in regard to the service rendered by the applicant in the earlier spells. They only submit that due to delay and laches the OA should be dismissed. However we consider that it is not a fit case for dismissal due to delay and laches. The direction in OA. 79/99 will hold good in this case also.

6. Hence the following direction is passed :-

The case of the applicant for engagement as a casual labour in future, ^{should be considered} if there is work and need to engage a casual labour in preference to freshers from the open market.

R

J

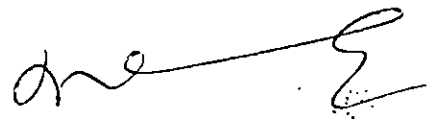
.. 3 ..

But such an engagement will not give any claim to the applicant to ^{obtain} ~~take~~ his earlier service benefits.

7. The OA is ordered accordingly. No costs.

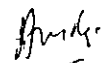

(B.S. JAI PARAMESHWAR)
Member (Judl.)

11.3.99


(R. RANGARAJAN)
Member (Admn.)

Dated : 11th March, 1999

(Dictated in Open Court)


16.3.99

sd

Copy to:

1. HON'BLE
2. HHAP M(A)
3. HOSJR M(J)
4. D.R.(A) ✓
5. SPARE ✓

21/3/99 ✓
IST AND IIND COURT

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. H. RAJENDRA PRASAD:
MEMBER (A)

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

THE HON'BLE MR. B. S. JAI PARAMESWAR:
MEMBER (J) ✓

DATED: 11.3.99

ORDER/JUDGEMENT

MA./RA./JP. No.

IN

O.A. NO. 89/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

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