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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1234/99

dt.25-8-99

Between

R. Satyanarayana

: Applicant

and

1. Sub Divnl. Officer
Telecom Anakapalli
Visakhapatnam Dist

2. Telecom Dist. Manager
Visakhapatnam

3. Chief General Manager
Telecom, AP Circle
Doorsanchar Bhavan
Hyderabad 500001

: Respondents

Counsel for the applicant

: N.R. Devaraj
Advocate

Counsel for the respondents

: B.N. Sharma
Sr.CGSC

Coram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

OA.1234/99

dt.25-8-99

Order

Oral order (per Hon. Mr. Justice D.H. Nasir, Vice Chairman)

Heard Mr. W. Satyanarayana for Mr. N.R. Devaraj for the applicant and Mr. M.C. Jacob for Mr. B. Narasimha Sharma for the respondents.

1. The applicant is praying for a declaration that he is entitled for reengagement as Casual Labour under the control of Telecom District Manager, Visakhapatnam, in terms of various instructions alleged to have been issued by the Chief General Manager, Telecommunications, Hyderabad.

2. The applicant's case is that his services were dispensed with from 31-5-1992 without any notice and without giving him any opportunity of hearing. It is submitted that the applicant was engaged as Casual labour much before the cut off date prescribed by the respondents, i.e. 31-3-1985 under the control of respondents with effect from 18-3-1983 and that he had put in a total service of 1274 days intermittently covering the period from 18-3-1983 to 31-5-1992.

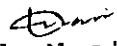
3. The learned Standing counsel Mr. Jacob ^{does not agree} ~~disputes the claim~~ ^{to} ~~advanced that it was not correct~~ that the cut off date was 31-3-1985. According to him the cut off date ^{fell} ~~was~~ some time in 1988. In any case, we believe that it is necessary in the interests of justice to consider the case of the applicant for reengagement having regard to the fact that he had served for a total of 240 days in each year from 18-3-1983 to 31-12-92.

4. This OA is disposed of with a direction to Respondent No.2 to reconsider the case of the applicant sympathetically keeping in view the fact that the applicant had put in as many as

..2.

1274 days from 18-3-1983 to 31-5-1992, the case of the applicant shall be considered in preference to the freshers.

5. The OA is disposed of accordingly. No costs.


D.H. Nasir
(Vice Chairman)

Dated : 25th August 1999
Dictated in Open Court



sk

COPY TO:-

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

1st AND 2nd 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. R. BANGARAJAN:
MEMBER (ADMN)

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

ORDER DATE: 25/9/99

MA/RA/CP.NO
IN
DA.NO. 1234/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED.

R.A. CLOSED

O.A. CLOSED

~~DISPOSED OF~~ WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

