

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of order : 15.5.95

OA 145/95

Prem Prakash Swami son of Shri Rood Dass,
aged 36 years, r/o Mohra, Post Nangal
Via Udaipurwati, District Jhunjhunu(Raj.)

... Applicant

VERSUS

1. Union of India through
The Secretary to the Government
Ministry of Communication,
New Delhi.
2. The Sub Divisional Officer (Telecommunication),
Sikar, Rajasthan.

... Respondents

CORAM

Hon'ble Mr. O.P. Sharma, Member (Administrative)
Hon'ble Mr. Rattan Prakash, Member (Judicial)

For the Applicant ... Mr. P.V. Calla
For the Respondents ... ---

O R D E R

PER HON'BLE MR. O.P. SHARMA, MEMBER (ADMINISTRATIVE).

Shri Prem Prakash Swami in this application u/s 19 of the Administrative Tribunals Act, 1985, has prayed that the respondents may be directed to consider the case of the applicant for re-employment in view of the provisions of Section 25H of the Industrial Disputes Act, 1947, and in case any junior to the applicant is found in employment, the same relief may be granted to the applicant with all consequential benefits.

2. The applicant's case is that he was engaged by the respondents in October, 1983, as a Casual Labour and he worked for 114 days upto March, 1984, (Annexure A-2) when he was disengaged. His case is that some juniors to him have been re-engaged by the respondents and, therefore, he should

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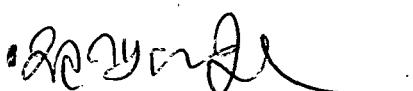
also to be given engagement in view of the provisions of Section 25H of the Industrial Disputes Act, 1947. He submitted a representation (Annexure A-3) dated 30.1.95 to the respondents, wherein he has stated in paras no. 9 & 10 that persons junior to him in the "select list" have been engaged.

3. We have heard the learned counsel for the applicant.

4. The applicant's representation is dated 30.1.95 and no decision on his representation has yet been communicated to the applicant. The learned counsel for the applicant, instead of pressing this application on merits, desires that the respondents may be directed to take it a decision on his representation on merits.

5. In the circumstances, we direct the respondents to take a decision on representation dated 30.1.95, submitted by the applicant to SDOT, Sikar (Rajasthan), within a period of two months from the date of receipt of a copy of this order. Let a copy of the original application of the applicant along with Annexures be sent to respondent no. 2 i.e. Sub Divisional Officer (Telecommunication), Sikar (Rajasthan) alongwith a copy of the order of the Tribunal.

6. The OA is disposed of accordingly at the stage of admission. No order as to costs.


(PATTAN PRAJASH)
MEMBER (J)


(O.P. SHARMA)
MEMBER (A)