

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

**CP/20/78/2019
&
OA/20/867/2018**

Dated: 11/11/2019

Between

T. Satyanarayana,
S/o. Baganna,
Aged 45 years, working as Messenger,
Telecom Centre, Samarlakota,
East Godavari District, A.P.

... Petitioner
AND

1. A. Poornachandra Rao,
S/o & age not known
The Chief General Manager,
BSNL, A.P. Circle,
Hyderabad
(presently at Vijayawada)
2. Sri Vittal,
S/o & age not known,
The General Manager, Telecom,
BSNL, Rajahmundry,
E.G. District, A.P.
3. Sri Nagaraju,
S/o & age not known,
The Sub Divisional Engineer,
Groups, BSNL, Samarlakota,
E.G. District, A.P.

... Respondents

Counsel for the Petitioner : Mr. Krishna Devan
Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC
Mr. M.C. Jacob, SC for BSNL

CORAM :

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

(Per Hon'ble Mr. Justice L. Narasimha Reddy, Chairman)

The applicant was working as a casual labour in BSNL at Samarlakota. He made efforts to be conferred the temporary status and thereafter the regularisation. He filed O.A. No.867/2018 in that behalf. An interim order was passed by this Tribunal on 6.9.2008, directing that the respondents shall continue the applicant as casual labour until further orders. However, the respondents passed an order dated 29.6.2019, discontinuing the applicant from service w.e.f. 30.06.2019. This Contempt Petition is filed, alleging that the action of the respondent in passing order dated 29.6.2019 amounts to blatant act of contempt.

2. On behalf of the respondents, a counter affidavit is filed by the 2nd respondent. It is not disputed that there exists an interim order in favour of the applicant. It is however stated that the date of birth of the applicant is 8.6.1959 and he attained the age of 59 years on 7.6.2019. It is said that the

applicant cannot be continued beyond the age of 60 years and accordingly, the order dated 29.6.2019 was passed.

3. We heard Sri Krishna Devan, learned counsel for the petitioner and Sri M.C. Jacob, learned Standing Counsel for the respondents.

4. It is no doubt true that the interim order was passed to the effect that the applicant shall be continued in service until further orders. The fact however remains that the applicant attained the age of 60 years on 07.06.2019. When a regular employee cannot be continued in service beyond 60 years, the question of a casual labour being continued after attaining the age of 60 years does not arise. The applicant cannot be kept on a higher pedestal than a regular employee.

5. We do not find any basis to interfere with the claim of the applicant. We, therefore, close the Contempt Petition.

6. List the O.A. for hearing on 21.11.2019.

**(B.V. SUDHAKAR)
MEMBER (ADMN.)**

**(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN**

pv