

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 24th day of July, 2001.

Original Application No.863 of 2001.

CORAM :-

Hon'ble Mr. SKI Naqvi, J.M.

Hon'ble Maj Gen KK Srivastava, A.M.

Manoj Kumar Srivastava Son of Shri Awadh Bihari Srivastava
Resident of Post Office Jalaun, District Jalaun.

(Sri VK Gupta, Advocate)

. Applicant

Versus

1. The Union of India through the
Director General Post Officer,
New Delhi.
2. The Chief Post Master General U.P.,
Circle Lucknow.
3. The Post Master General Agra.
4. The Senior Superintendent of Post Offices,
Jhansi.
5. The Sub Divisional Inspector of Post Offices,
Jalaun.

(Sri R.C. Joshi, Advocate)

. Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. SKI Naqvi, J.M.

As per his case, the applicant was engaged as
~~Conservancy~~ ^{Contingency} Paid Waterman from from 11-3-1992. The
controversy is that as per respondents he worked for
two hours a day only purely on temporary basis and
after the order of regularisation dated 14-1-1993,
the allowances were paid to him on monthly basis as
admissible to casual labourers. Considering the work
load official allowance for 3½ hours were order to be
fixed by memo dated 06-01-1993 to be paid w.e.f. 01-7-1992

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but the emolument of the applicant continued to be paid from contingency. He claims salary as admissible to work for eight hours a day, ^{which} it was declined and, therefore, he preferred OA No.1019/1996 which has been decided by this Bench on 13-9-2000 granting an opportunity to the applicant to make a representation before the Senior Superintendent of Post Offices, Jhansi for regularisation of his services against vacant post of Class 'D'. The applicant represented accordingly and the same has been decided vide Annexure-A-20 with the finding that his eligibility condition for regularisation of his services against vacant post of Group 'B' will be examined on his turn. The applicant after having received this order

(Annexure-20) ~~researched his eligibility~~ and on having ^{Come to know the decision that} found ~~that~~ he does not come within the zone of consideration ^{for} the cadre, he made another representation dated 8-7-2001, a copy of which has been annexed as Annexure-17 and has claimed that he be provided the service benefits in accordance with the work load and duty hours per day.

2. We find some confusion crept up out of previous litigation, the order passed thereon and consequential decision taken which could be clarified by fresh consideration of the matter and, therefore, we decide the OA with the following directions.

3. The competent authority in the respondents' establishment is directed to decide the pending representation of the applicant dated 08-7-2001, the copy of which has been annexed as Annexure-A-17 to the OA within eight weeks from the date of communication of this order. In case the request of the applicant is not

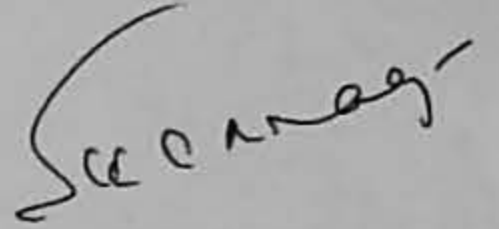
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acceded to, a detailed speaking reasoned order be passed with reference to ~~referred~~ rules in this regard. The OA is decided accordingly with no order as to costs.



Member (A)



Member (J)

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