

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1262 OF 2001
ALLAHABAD, THIS THE 13th DAY OF FEBRUARY, 2004
HON'BLE MR. JUSTICE S.R. SINGH, VICE-CHAIRMAN

Manoj Kumar Srivastava
aged about 35 years,
s/o Shri Awadh Bihari Srivastava,
r/o Mohalla-Bhawani Ram, Jalaun,
District-Jalaun.

....Applicant

(By Advocate : V.K. Gupta)

V E R S U S

1. The Union of India through Secretary, Ministry of Communication, Department of Posts, New Delhi.
2. The Director General, Post Office, New Delhi.
3. The Chief Post Master General, U.P. Circle, Lucknow.
4. The post Master General, Agra.
5. The Senior Superintendent of Post Officer, Jhansi.
6. The Sub Divisional Inspector of Post Office, Jalaun.

....Respondents

(By Advocate : Shri R.C. Joshi)

O R D E R

Heard counsel for the parties and perused the pleadings.

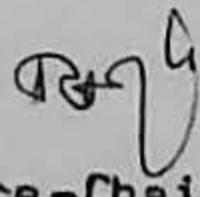
2. The applicant had earlier approached the Tribunal by means of O.A. No.863 of 2001 for issuance of a direction to the respondents to grant him the status of full time casual labour in accordance with the departmental circulars. The O.A. was

Q62

disposed off with direction, ^{to} the Senior Superintendent of Post Offices, Jhansi Mandal, Jhansi to consider and dispose of the applicant's representation. The representation dated 08.07.2001 has been rejected by impugned order dated 12.10.2001 (Annexure A-I) on the ground that with a view to conferring the status of full time casual labour, a waterman had to perform 4.8 hours of duty as waterman and 1.25 hours of duty as Farris. The applicant, according to the impugned order, performed only 1 hours 21 minutes of duty and on that ground he was not entitled to be confirmed with the status of full time casual labour.

3. Learned counsel for the applicant submits that the documents annexed as Annexure A-2 to A-19 clearly show that the work load of the applicant was more than the hours prescribed for conferal of full time casual labour. These documents do not appear to have been taken in to reckoning by the Senior Superintendent of Post Offices, Jhansi Mandal, Jhansi while passing the impugned order dated 12.10.2001. For this reason, the order impugned herein cannot be sustained.

4. Accordingly, this O.A. is allowed and the impugned order dated 12.10.2001 is set aside. The Senior Superintendent of Post Offices is directed to decide the representation dated 08.07.2001 of the applicant afresh in accordance with law after taking into consideration the documents filed as Annexure A-2 to A-19 as also the relevant departmental circulars within a period of 2 months from the date of receipt of a copy of this order. It is however, made clear that applicant shall file the documents, which are annexed as Annexure A-2 to A-19 along with the copy of this order. No order as to costs.


Vice-Chairman