

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

NO WORK
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O.A. No. 1/406/89
Ex-Ax-Not

DATE OF DECISION 22.1.1993

Joy Luthat Solanki and others Petitioner

Shri P.S.Handa Advocate for the Petitioner(s)

Versus

Union of India & others Respondent

Shri Akil Kureshi Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V.Krishnan

Vice Chairman

The Hon'ble Mr. R.C.Bhatt

Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

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1. Joy Luthar Solanki,
2. Robert C.Christian,
Divl.Secy.All India Postal
Employees Union,
Class III, Ahmedabad city Division,
Ahmedabad.

....APPLICANTS

(Advocate : Mr.P.S.Handa)

versus

Union of India,
Notice to be served through
Director General of Post and
Telegraph, Sanchar Bhavan,
Parliament house,
New Delhi.

2.

Chief Post Master General,
Gujarat Circle,Ashram Road,
Ahmedabad.

....RESPONDENTS

(Advocate : Mr.Akil Kureishi)

O R A L J U D G M E N T

O.A./406/89

Date : 22.1.1993

Per : Hon'ble Mr.R.C.Bhatt
Member (J)

Mr.P.S.Handa for the applicant.

Mr.Akil Kureishi for the respondents.

1. The applicants (members of All India
Postal Employees Union, Class III, Ahmedabad City

Division) working as Postal Assistants under RTP scheme i.e. Reserve Training Pool Scheme, shown at Annexure A/1 have filed this application under section 19 of the Administrative Tribunal Act, to direct the respondents to pay the arrears from the date of appointment of each applicant equal to the difference of the pay between the hourly rate paid to the applicants and the regular pay drawn by the permanent Postal Assistants on the basis of Hon'ble Supreme Court judgment as well as on the judgment delivered by this Tribunal vide Annexure A/3 and Annexure A/4 respectively as the applicants are similarly situated.

2. The respondents have filed detailed reply.

3. At the time of hearing of this application, the learned advocate^s for the parties submitted that the present application can be disposed of on the basis of directions given in the case of Shri N.R.Rami and others versus Union of India and others in O.A.192/90 decided on 7th December, 1992 as the present case. In view of the this submission made by the learned counsels for the parties, the application is disposed of by giving the identical directions which this Tribunal gave in the matter of Shri N.R.Rami and others versus Union of India and others in O.A.192/90

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3.

ORDER

The application is partly allowed. We direct the respondent no.2, Chief Post Master General, Gujarat Circle, Ahmedabad to treat the present application filed before us as representation as evidence filed before the said authority and to consider it on merits, in the light of the decision of this Tribunal in T.A./218/87 a copy of which is produced at Annexure A/4 in this case, and then to pass the speaking order, after considering the representations of the applicants within a period of 2 months from the date of receipt of copy of this order. If any of the applicant is aggrieved by the ultimate order passed by the second respondent, he would be at liberty to approach this Tribunal according to law. The applicants should forward the enclosures and the copy of the order of this Tribunal to second respondent to enable the said authority to dispose of the case within this stipulated period.

No order as to costs.

Renu

(R.C.Bhatt)
Member (J)

(Signature)
22/11/93
(N.V.Krishnan)
Vice Chairman