

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. /181/90

T.A. No. 11

DATE OF DECISION 12/10/1992

Shri A.V.Patkhak & others

Petitioner

Mr. D.V.Mehta

Advocate for the Petitioner(s)

Versus

Union of India & others

Respondent

Mr. 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?

1. Shri V. Pathak
2. Shri C.D. Prajapati
3. Shri G. Vora
4. Shri R. Baria
5. Smt. V. C. Makwana
6. Kum. S. S. Kshatrya
7. Shri B. R. Patelaa
8. Kum. C. S. Trivedi
9. Shri A. B. Malkan
10. Shri B. B. Parmar
11. Shri A. G. Parmar
12. Shri L. K. Chamar

.....applicants

(Advocate : Mr. D. V. Mehta)

Versus

1. Union of India,
Notice to be served through,
Director General of P&T
Saachar Bhavan, Parliament Street,
New Delhi.
2. Post Master General
Gujarat Circle, Ashram Road,
Ahmedabad.
3. Senior Superintendent of RMS,
Vadodara Division,
("W" Division),
Vadodara.

....respondents

(Advocate : Mr. Akil Kureshi)

O R A L O R D E R

O.A./181/90

Date : 12/10/1992

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

1. This application under section 19 of
the Administrative Tribunal Act, 1985, is filed by

by 12 persons working under the respondent No.3 Senior Superintendent of RMS, Vadodara Division as Sorting Assistants. They have produced their appointment order collectively at Annexure A/1 They were recruited under the RTP SCHEME, ~~XXIX~~ which was created by the respondent No.1. It is the case of the applicants that the Department was paying 2.75 per hour to the RTP SCHEME. It is the case of the applicants that the applicants should be paid the salary on the principle of ~~XXIX~~ "Equal pay for equal work" namely that they should be paid equal pay which is being paid the regular employees. The respondents have filed reply refuting the averments made in the application.

2. At the time of hearing, the learned advocate for the applicants has placed the reliance on the decision of this Tribunal in the case of Smt. V.A. Kateria and others v/s Union of India and others in O.A./191/90 decided on 10th July 1990 in which the applicants who were ~~xx~~ Sorting Assistants recruited under the RTP SCHEME had claimed salary on par with regular employees. The Tribunal allowed the application to the extent of directing the second respondent, in that case, i.e. to Post Master General to treat the application filed before that authority and to consider it on merits in the light of ~~xx~~ the ~~xx~~ previous

2

(5)

decision of this Tribunal in T.A./218/87 decided on 7th January, 1989 and further directed the second respondent in that case to pass the speaking order after consideration of the representation. Learned advocate for the applicants in this case before us ~~also~~ makes the same prayer to which the learned advocate Mr.Kureshi for the respondents, submits that ~~appropriate~~ directions may also be given in this case. Hence, the we propose to dispose of this application by giving similar direction to respondent No.2.

3.

O R D E R

The application is partly allowed.

We direct the respondent No.2 Post Master General, Ahmedabad to treat the present application filed before us as a ~~representation~~ representation as, if it is filed before that authority and to consider it on merits in the light of the decision of this Tribunal in T.A./218/87 and to pass the speaking order after considering the representation of the applicants within 2 months from the date of receipt of this order. If the applicants feel aggrieved by ultimate order of the second respondent they are at liberty to approach the Tribunal according to law. The applicants to forward enclosures and order of this Tribunal to second respondent to enable that authority to decide the case within the stipulated period. No order as to costs.

Raval
(R.C.BHATT)

MEMBER (J)

N.V.Krishnan
(N.V.KRISHNAN)

VICE CHAIRMAN