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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

NO
Equal Pay
Equal work

O.A. No.
TAX NO.

511 pf 1990

DATE OF DECISION 26.2.1993.

Shri A.B.Bhatt & Ors. Petitioner

Shri Ketan Dave Advocate for the Petitioner(s)

Versus

Union of India and ors. Respondent

Shri Akil Kureishi Advocate for the Respondent(s)

CORAM :

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

The Hon'ble Mr. V.Radhakrishnan : Member (A)

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 ?

(7)

1.A.B.Bhatt
2.B.R.Ganbit
3.N.N.Waghela
4.N.R.Waghela
5.S.C.Gajera
6.B.N.Chauhan
7.S.A.Vadera

All Occupation : Service

Service Designations : Short Duty of all :

Assistants -R.M.S."R.J." Dn.Rajkot.

Address for all : At Bhavnagar
c/o. Ketan A. Dave (Advocate)

.....applicants

versus

1. Union of India,
Notice to be served
through Director-
General of P & T.,
Sanchar Bhavan,
Parliamentary Street,
New Delhi.

2. Post Master General,
Gujarat Circle,Ashram Road,
Ahmedabad-380 009.

....respondents

O R A L O R D E R

O.A./511/90

Date : 26-2-1993

Per : Hon'ble Mr.R.C.Bhatt
Judicial Member

None is present for the applicants.

Mr.Akil Kureshi ,learned advocate
for the respondents is present.

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(6)

1. The 7 applicants have filed this application under section 19 of the Administrative Tribunal Act, 1985, seeking the relief that the declaration be given that the applicants are entitled to be treated on par with regular employees for the period from the applicants date ~~is~~ of appointment as short duty Sorting Assistants to the dates of applicants' regular appointment and the respondents be directed to pay the difference in wages for the above mentioned period to the applicants, considering them on par with regular employees as per the judgment in T.A./218/87 decided by this Tribunal 17th January, 1987.

2. The applicants are appointed as short duty Sorting Assistants as mentioned in details in para-6 of the application. It is the case of the applicants that they are appointed as Sorting Assistants from cadre of Trained Reserve Case. on the dates mentioned in para-6 of the application and that all the applicants ~~are~~ absorbed in the cadre of regular Sorting Assistants. It is ~~more~~ the case of the applicants that they ~~all~~ entitled to get wages on par with regular employees as held in T.A./218/87 by this Tribunal.

3. Though, at the time of hearing none was present for the applicants and though no reply is filed by the respondents, the learned counsel for the respondents submitted that this Tribunal has disposed of identical matter O.A./192/90 in the case of Shri N.R.Nami and ors. V/S. Union of India and ors. decided on 7th Dec.1992, relying on the decision in T.A./218/87 on the basis of which the present applicants also seek the relief.

The applicants have annexed at Annexure-A, the copy of the judgment in T.A./218/87. The learned advocate for the respondents submitted that, the present application also can be disposed of as per the directions given in that case. We therefore, pass the following order :

4.

ORDER

The application is partly allowed. We direct the respondent, Post Master General, Gujarat Circle, Ahmedabad to treat the present application filed before us as representation, as if it is filed before the said authority and to consider it on merits, in the ~~light~~ light of the decision of this Tribunal in T.A./218/87, copy of which is produced at Annexure-A and then to pass the speaking order after considering the representation of the applicants within two 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 this Tribunal according to law.

The applicants should forward the enclosures and copy of order of this Tribunal to second respondent to enable the said authority to consider the case within the stipulated period. No order as to costs.

Mr.
(V.Radhakrishnan)

Member (A)

Resd
(R.C.Bhatt)

Member (J)

AIT/SS

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DATE	OFFICE REPORT	ORDERS
10-6-1993		<p>Miscellaneous The application is allowed. The time for complying with the directions contained in the judgement of this Tribunal dated 26-2-1993 in O.A. 511/90 is extended for a period of eight weeks from 10-5-1993. The M.A. stands disposed of accordingly.</p> <p><i>AS</i> (V. Radhakrishnan) (N.B. Patel) Member (A) Vice Chairman.</p> <p>*AS.</p>