

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A.NO. / 437/93

~~XXXXXX~~

DATE OF DECISION : 03/03/2000

Mr.C.R.Kulkarni

Petitioner

Mr. P.K.Handa

Advocate for the Petitioner [s]

Versus

Union of India & ors.

Respondent

Ms.P.B.Sheth

Advocate for the Respondent [s]

CORAM

The Hon'ble Mr. P.C.Kannan : Member (J)

The Hon'ble Mr.

JUDGMENT

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

DM

Chandrashekhar Ramchandra Kulkarni
working as Part Time Wireman in the
Office of the Post Master General,
Vadodara Region,
Vadodara.

..... Applicant

(Advocate : Mr.P.K.Handa)

VERSUS

1. Union of India, owning & represented by Director General, Ministry of Communications, Department of Posts, Dak Bhavan, Sansad Marg, New Delhi.
2. Post Master General, Vadodara Region, Vadodara.
3. Director, Postal Services, Vadodara Region, Vadodara.

.....

Respondents

(Advocate : Ms.P.B.Sheth)

O R A L O R D E R

O.A./437/93

DATE : 03/03/2000

Per : Hon'ble Shri P.C.Kannan : Member (J)

Heard Mr.P.K.Handa, counsel for the applicant and Ms.Sheth counsel for the respondents.

The Applicant at the time of filing of this OA, was working as a part-time casual labour for five hours a day for over ten years under the respondents. Mr.Handa refers to the

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Cont to page 3/-...

Memo dt: 31/12/99 of the office of P.M.G., Vadodara and submits that the working hours of the applicant has been enhanced to seven hours a day with effect from 01/01/2000. Mr.Handa also refers to the copy of the letter dt: 16/09/92 of the Ministry of Communications regarding part-time casual labourers. Para-2 of the said letter reads as follows :-

" The matter has been examined and I am directed to say that if part-time casual labourers are working for five hours or more, it may be examined whether they can be made full time by readjustment or combination of duties. It is however reiterated that there should be no engagement of fresh casual labourers."

In the light of the above instructions from Ministry of Communication, Mr.Handa now submits that respondents may be directed to examine the case of the applicant and be treated as full-time casual labour. He may also be given all the benefits of the scheme as a full-time casual labour. Ms.Sheth submits that any such order can be given only a prospective effect.

After discussion at the Bar, ^{g. P.W.} ~~we~~ considered ^{on} that the OA may be disposed of with a direction to the respondents to examine the case of the applicant ^{g. P.W.} ~~and~~ in terms of instructions of the Ministry of Communications letter dt: 16/09/92 as to whether the applicant can be made full-time casual labour. If the Department makes the applicant as full-time casual labour, he may be given all the benefits of the scheme from the date of such order. This exercise may be completed within two months from ^{the} ~~the~~ date of receipt of a copy

DM

of this order.

The O.A is disposed of with the above directions. No costs.

Kannan
(P.C.Kannan)
Member (J)

nkk

कार्यालय टिप्पणी
OFFICE REPORT

13.06.2000

अदेश
ORDER

Ms. Sheth has removed the office objections. Registry to give a regular number.

Heard Ms. Sheth on M.A. 1/2000

For the reasons stated above, the M.A is allowed and the time for implementing the order of this Tribunal is extended for a further period of three months from 21.05.2000. M.A is allowed. M.A stands disposed of.

mpsh
(M. P. Singh)
Member (A)

pkm
(P. C. Kannan)
Member (J)

mb

FORM NO. 21

(See Rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, AHMEDABAD BENCH

OA/TA/RA/CP/MA/PT H 37 of 199 93C.R. Kaml Karni

APPLICANT(s)

VERSUS

V.O. 2 Sons

RESPONDENT(s)

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Certified that the file is complete in all respects.

PUL 92

Signature of S.O. (J)

seed of
25/05/20

Signature of Deal. Hand.