

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 495/91
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DATE OF DECISION 24.4.1992

MC Radhamani & another Applicant (s)

Mr TA Rajan Advocate for the Applicant (s)

Versus
Union of India rep. by the
Secretary to Govt. of India, Respondent (s)
Ministry of Communications,
New Delhi and others.

Mr C Kochunni Nair, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. NV Krishnan, Administrative Member
and

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

Sh N Dharmadan, J.M

The applicants are casual labourers working in the Foreign Post Office, Kochi from 6.4.84 and 4.7.84 respectively. They have filed this application with the following reliefs:

- "(i) Declare that the termination of services of the applicants with effect from 6.4.90 is null and void.
- (ii) Direct the respondents to give work and wages to the applicants and to regularise them in service as directed in the decision reported in AIR 1987 SC 2342.
- (iii) Direct the respondents to disburse the ex-gratia allowance due to the applicants.
- (iv) Permit filing of Joint Application by the Applicants.
- (v) Grant such other reliefs as may be prayed for and the Tribunal may deem fit to grant."

2 When the case came up for final hearing, the learned counsel for the applicant submitted that the applicants are pressing only for the second relief pertaining to their right for regularisations

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in Group D posts based on the directions in OA 234/91 in which a similar question was considered and this Tribunal granted reliefs.

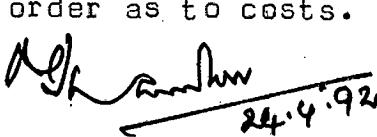
3 The learned counsel for the respondents have filed reply and contended that the judgment ~~of~~ OA 234/91 though became final cannot be implemented because of some administrative difficulties and they have filed an application for clarification in OA 234/91.

4 The clarification petition was considered and disposed of by our judgment dated 22.4.1992.

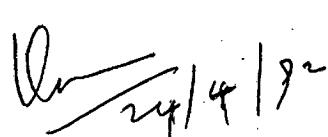
5 In the light of the clarification order passed in the MP, nothing survives in this case except to dispose of this application with similar directions.

6 Accordingly, having regard to the facts and circumstances of the case, we direct the Respondent-3 to consider the question of regularisation of the applicants in Group D post in the Division in which the applicant was working, taking into consideration the number of days put in by ^{him} and fixing ^{his} seniority on that basis.

7 The application is disposed of as above and there will be no order as to costs.


24.4.92
(N Dharmadan)

Judicial Member


24.4.92
(NV Krishnan)

Administrative Member

24.4.92