

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.499/97

Thursday, this the 28th day of October, 1999.

CORAM

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER

HON'BLE MR G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. V. Radhakrishnan, Office Assistant,
Office of the Senior Superintendent of Post
Trissur Division, Trichur. Offices,
2. C.T. Silvy, Office Assistant,
Office of the Sr. Superintendent of Post Offices,
Trissur Division, Trichur.
3. P. Sukumaran, Postal Assistant,
Trichur East P.O., Trichur District.
4. K.D. Gracy, Postal Assistant,
Trichur East P.O., Trichur District.
5. A.K. Sreelatha, Postal Assistant,
Ollur Post Office, Trichur District.
6. Kshema Mathew.C, Postal Assistant,
Pazhanji Post Office, Trichur.
7. K. Saraswathy, Postal Assistant,
Guruvayoor Post Office, Trichur District.
8. Pushpaleela M.B., Postal Assistant,
Engineering College Post Office, Trichur.
9. S. Ramadevi, Postal Assistant,
Kodakara Post Office, Trichur.
10. K.S. Bhagiashree, Postal Assistant,
Cheruthuruthy Post Office, Trichur.
11. T. Suma, Office Assistant,
Postal Stores Depot, Trichur.
12. V.M. Bhaskaran, Postal Assistant,
Kottakampala P.O., Trichur District.
13. Y. Abdulla, Sub Postmaster,
Agalad Post Office, Trichur District.

...Applicants

By Advocate Mr O.V. Radhakrishnan.

Vs

1. Senior Superintendent of Post Office,
Trichur Division, Trichur.

...contd..p/2

2. Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.
3. Director Generral of Posts,
Depaprtment of Posts, New Delhi.
4. Union of India rep. by its Secretary,
Ministry of Communications, New Delhi.

...Respondents

By Advocate Mr Sunil Jose, Addl.CGSC.

The application having been heard on 28.10.99,
the Tribunal on the sayd delivered the following:

O R D E R

HON'BLE MR A.M. SIVADAS, JUDICIAL MEMBER

Applicants seek to quash A6 and A7 and to direct the respondents to extend the benefits of A1 and A2 judgments to them with all consequential benefits including seniority from the respective dates of their initial appointments, fixation of pay, arrears of pay and other service benefits.

2. Applicants, thirteen in number, were recruited as Time Scale Postal Assistants and were provisionally selected for inclusion in the reserve list of trained candidates. They were deputed for training after selection and they successfully underwent the practical and theoretical training. They are presently working as Postal Assistant/Office Assistant/Sub Postmaster at the respective places as shown in the cause title. They were recruited and initially appointed as Reserve Trained Pool Postal Assistants following the procedure for regular selection and appointment as Postal Assistants. They are entitled to count their service from the respective dates of their appointments for the purpose of seniority and other service benefits. All of them have put in more than 240 days service in each

calendar year since their initial appointment and thus had continues service since their respective dates of initial appointment. The dates of initial appointment / regular absorption as Postal Assistants vary from 27.2.1982 / 18.2.1989 to 6.3.1986 / 30.5.90.

Applicants say that they are denied the benefit of granting service from the respective dates of their initial appointment for the purpose of seniority and other service benefits and they are not confirmed in the post immediately after their initial appointment as Reserve Trained Pool Postal Assistants. They also say that they are entitled to get the benefit of A1 and A2 judgments of this Bench of the Tribunal and that as per A4, A2 judgment has been implemented.

3. Respondents resist the O.A. contending that the O.A. is barred by delay and latches, that they have filed SLP before the Hon'ble Apex Court on a question of identical nature and that some of the applicants have not worked for 240 days in some years.

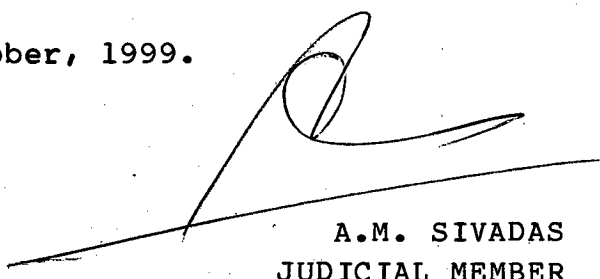
4. Identical question was considered by this Bench of the Tribunal in O.A. 1178/96 and connected O.As and in the order it has been clearly held that there is no merit in the claim of the applicants for reckoning their service as R.T.Ps for seniority, regularisation and other service benefits.

5. Following the said ruling, this O.A. is only to be dismissed. Accordingly, the Original Application is dismissed. No costs.

Dated the 28th of October, 1999.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

List of Annexures referred to in the order

A-1, True copy of the order in O.A. 1813/93 dated 30.5.94 of this Bench of this Hon'ble Tribunal.

A-2, True copy of the Order in O.A.1410/95 dated 8.2.96 of this Bench of the Tribunal.

A-4, True copy of the letter No.B/29/DGL/93 dated 20.8.96 of the Senior Superintendent of RMS 'TV' Division, Trivandrum.

A-6, True copy of the Order No.B1/RTP dated 13.1.97 of the 1st respondent.

A-7, True copy of the letter No.66-24/96-SPB.I dated 19.4.96 of the 4th respondent.