

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No.53 of 1997.

Wednesday this the 3rd day of June 1998.

CORAM:

HON'BLE MR. P.V. VENKATKRISHNAN, ADMINISTRATIVE MEMBER

S. Selvaraj,
Part time casual labourer
(Rest house attendant)
Railway Mail Service Rest House,
Shencottaih.(residing at 9/222,
Shencottaih.) .. Applicant
(By Advocate Shri M.R. Rajendran Nair)

Vs.

The Senior Superintendent of Post
Offices, Railway Mail Service 'TV'
Division, Trivandrum. .. Respondent
(By Advocate Shri Varghese P. Thomas, ACGSC)

The application having been heard on 3rd June 1998,
the Tribunal on the same day delivered the following:

ORDER

Applicant is a Part time casual labourer in the
Railway Mail Service (RMS for short) Rest House at
Shencottaih. Relying on Tribunal's decisions such as
O.A. 348/96, applicant contends that the part time service
rendered by him is liable to be counted for temporary
status. Respondent, however, contends that the scheme
does not provide for temporary status for Part time casual
labourers.

2. It is agreed on both sides that the Supreme Court in
Secretary, Ministry of Communications and others Vs.

Sakkubai and another (Civil Appeal Nos. 360-361 of 1994)
has laid down that Part time casual service does not
entitle a casual labourer to get the benefit of the scheme for temporary
status.

3. In view of the decision of the Supreme Court, the
application is only to be dismissed. However, learned counsel
for the applicant prays that the applicant may be
permitted to take up his claim with the competent
authorities. He may do so within one month from today.

If such a representation is made by the applicant, the competent authority shall consider it and pass appropriate orders within three months of its receipt.

4. Application is disposed of as aforesaid. No costs.

Dated 3rd June 1998.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

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