

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 546 1993.

DATE OF DECISION 19.4.93

K.K. Pavithran Applicant (s)

Mr. Johnson Manayani Advocate for the Applicant (s)

Versus

The Director of Postal Telegraphes Respondent (s)  
services, Deptt. of Posts, New Delhi and others

Mr. P.N. Purushothama Kaimal, Advocate for the Respondent (s)  
ACGSC

CORAM :

The Hon'ble Mr. N. DHARMADAN JUDICIAL MEMBER

The Hon'ble Mr. R. RANGARAJAN ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ? *Ans*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *Ans*
4. To be circulated to all Benches of the Tribunal ? *Ans*

## JUDGEMENT

MR. N. DHARMADAN JUDICIAL MEMBER

Applicant submitted that he worked as a casual mazdoor for six months from 1.4.1982 as referred to in the certificate Annexure-A. He filed earlier O.A. 280/90 for a direction to absorb him as a group-D employ in the Deptt. of Posts and for regularisation in accordance with seniority. The said O.A. was heard and disposed of as per Annexure-C judgment dated 21.12.90. The present application has been filed with the following reliefs:

- i) to direct the respondents to re-engage the applicant as casual mazdoor and to regularise him in his due turn.
- ii) to direct the 2nd respondent to dispose of Annex.D and E petition. and

iii) issue such other orders or directions as may be deemed fit by this Tribunal."

2. He ~~also~~<sup>4</sup> submitted that he has got a legal right to be absorbed in service in the light of PMG's letter dated 21.9.88 and another letter dated 25.5.85. He has also filed representation Annexure-D dated 24.9.91.

3. It is seen that applicant's claim for reinstatement was considered by the Tribunal and rejected ~~his request~~<sup>4</sup> as per the judgment Annexure-C dated 21.12.90. When his prayer before this Tribunal for issuing a direction to the respondents for absorption in group-D post taking into consideration his past service was rejected, we are unable to grant the reliefs prayed for in this O.A. which are more or less the same. Accordingly, we dismiss the original application. However, this will not preclude the applicant ~~to pursue~~<sup>4</sup> his representation already filed and pending before the departmental authority.

4. There will be no order as to costs.

  
(R. RANGARAJAN)  
ADMINISTRATIVE MEMBER

  
N. DHARMADAN  
JUDICIAL MEMBER

19.4.93

kmn