

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.583/97

Friday, this the 12th day of November, 1999.

CORAM

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

HON'BLE MR G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. R. Vimala,
Postal Assistant, Thukalay H.P.O.,
Residing at 'Anand Bhavn',
Anducode P.O.
2. A.R. Sunila Fragrance,
Postal Assistant, Thuckalayi H.P.O.,
Residing at Kamala Vilasom,
Kozhiporvilai, Mulagumoodu-629769.
3. G. Vaitheeswaran,
Postal Assistant, Nagercoil H.P.O.,
Residing at 63A/3, Ganapathi Nagar(W),
Kottar, Nagercoil-2.
4. C. Sheela Bai,
Postal Assistant, Marthandam P.O.,
Residing at 'Bergin Villa',
Venganamcode, Nelpuram,
Paicode P.O.
5. P. Anilkumar,
Postal Assistant, Thukalay H.P.O.,
Residing at 'Srinilayam',
Kaviyathoor, Kattathurai.
6. V. Sanalkumar,
Postal Assistant, Kuzhithurai P.O.,
Residing at 7/20, 'ORMA'
Opposite to Government High School,
Marthandam.
7. S. Geetha,
Postal Assistant, Neyyoor P.O.,
Residing at New House,
Eraniel, Neyyoor.

...Applicants

By Advocate Mr Paul Varghese.

Vs.

1. Union of India, represented by its
Secretary to Government,
Ministry of Communications, New Delhi.
2. Chief Post Master General,
Kerala Postal Circle,
Trivandrum -31.

(...contd...p/2)

3. Superintendent of Post Offices,
Trivandrum South Division,
Trivandrum-695 014.
4. Superintendent of Post Offices,
Manjeri Postal Division,
Manjeri.
5. Senior Superintendent of Post Offices,
Palakkad Division,
Palakkad.
6. Superintendent of Post Offices,
Kasaragod Division,
Kasaragod.
7. Senior Superintendent of Railway Mail Service,
RMS 'CT' Division,
Calicut-673 002.
8. Senior Superintendent of Post Offices,
Kanniyakumari Division,
Nagercoil.

...Respondents

By Advocate Mr Sunil Jose, Addl.CGSC

The application having been heard on 12.11.199, the
Tribunal on the same day delivered the following:

O R D E R

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

Applicants seek to set aside A10, to declare that they are entitled to get all the benefits as granted to the applicants in O.A.1410/95 and to direct the respondents to grant them seniority and all other service benefits from the date of initial appointment as granted to them in O.A.1410/95.

2. Applicants are working as Postal Assistants. Applicants say that they are similarly situated to that of the applicants in O.A. 1410/95. The reason stated in A10 for not granting seniority and other benefits is not correct.

3. Respondents say that there is an inordinate delay and laches on the part of the applicants in filing this O.A. This O.A. is barred by resjudicata.



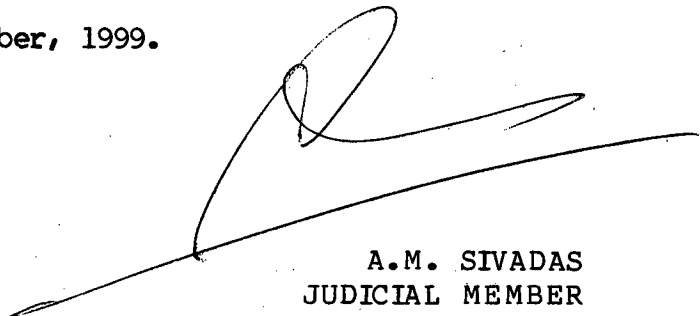
4 Identical questions were considered by this Bench of the Tribunal in O.A.1178/96 and connected O.As. In those O.As after referring to O.A. 1410/95 it was held that there is no merit in the claim of the applicants for reckoning their service as RTPs for seniority, regularisation and other service benefits. The said ruling squarely applies to the facts of this O.A.

5. Following the ruling in the above said O.As, this O.A. is only to be dismissed. Accordingly, the O.A. is dismissed. No costs.

Dated the 12th of November, 1999.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

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List of annexures referred to in the order

A-1, True copy of the order dated 8.2.96 in O.A.1410/95 of this Tribunal.

A-10, True copy of Memo No.B1/41 dated 19.12.96 of the 8th respondent to applicant No.5.