

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. Nos. 134/97 and 135/97.

Tuesday this the 28th day of January 1997.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

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

O.A. 134/97

K. Ravindran, Beldar,
C P W D (Central Public Works Department),
Pallipuram, Trivandrum, residing at
Vasanthalayam, Vedivachancol,
Bhagavathinada P.O., Trivandrum. .. Applicant

(By Advocate Shri K.C. Eldho)

Vs.

1. The Superintending Engineer (Co-ordination),
Central Public Works Department,
Egmore, Madras.

2. The Executive Engineer,
Trivandrum Central Division,
Central Public Works Department,
Pattom, Trivandrum.

3. Assistant Engineer,
Trivandrum Central Sub Division-V,
Central Public Works Department,
Pallipuram, Trivandrum. .. Respondents

(By Advocate Shri M.H.J. David J, ACGSC)

O.A. 135/97.

M. Ravindran Pillai,
Assistant Plumber,
C P W D (Central Public Works Department),
Pattom, Sub Division I, Trivandrum,
residing at Ravimandiram, Vettilla Thazham,
Decent Junction, P.O.,
Quilon District. .. Applicant

(By Advocate Shri K.C. Eldho)

Vs.

1. The Superintending Engineer (Co-ordination)
Central Public Works Department, Madras.

2. Executive Engineer, Trivandrum Central
Division, Central Public Works Department,
Trivandrum-4. .. Respondents

(By Advocate Shri Shafik M.A. for Shri TPM Ibrahim Khan, SCGSC)

The applications having been heard on 28th January 1997,
the Tribunal on the same day delivered the following:

O R D E R

A.V. HARIDASAN, VICE CHAIRMAN

These two cases are similar in character. Hence, they were heard for admission together. The applicant in O.A. 134/97 who commenced services as casual labour, Carpenter was regularised on the post of Beldar in Group 'D' with effect from 1.3.1993. His grievance is that though he was regularised only on the post of Beldar he has been performing the duties of the post of Carpenter. Therefore, he claims that he is entitled to the pay scale of Assistant Carpenter from 1.3.1993 onwards. His representation in this regard was not responded to. Therefore, the applicant has filed this application for a direction to the respondents to give him the scale of pay of Assistant Carpenter with effect from 1.3.1993.

2. The applicant in O.A. 135/97 who commenced his career as casual labour, Plumber with effect from 12.8.85 was regularised and absorbed as Beldar in Group 'D' with effect from 27.2.93. His case is that as he has been continuously performing the duties of Assistant Plumber despite his regularisation in the post of Beldar he is entitled to have the pay scale of Assistant Plumber. His representations in this regard have not been responded to. He has prayed that respondents be directed to give him the pay scale of Assistant Plumber with effect from the date of his regular appointment as Beldar.

3. We have heard Mr. Eldho, Counsel for applicants and Mr. David, Counsel for respondents in O.A. 134/97 and Mr. TPM Ibrahim Khan, Counsel for respondents in O.A. 135/97. Both the applicants though as casual labourers were performing the duties of Assistant Carpenter and

Assistant Plumber they were regularly appointed only on the post of Beldar in Group 'D' with a specific pay scale. They were holding of Group 'D' post. They have, therefore, no right to claim the pay scale of a group 'C' post. The applications do not deserve admission and further deliberation. Hence, these applications are rejected under Section 19(3) of the Administrative Tribunals' Act 1985. No order as to costs.

Dated 28th January 1997.

G. Venkatakrishnan
P.V. VENKATAKRISHNAN

ADMINISTRATIVE MEMBER

A. Venkatakrishnan
A.V. HARIDASAN
VICE - CHAIRMAN

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