

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 146 199 3
T. A. No.

DATE OF DECISION 27.1.93

K. K. Basheer and others

Applicant (s)

Mr. M. K. Damodaran Advocate for the Applicant (s)

Versus

The Administrator, U.T. of Lakshadweep, Kavarathy and others Respondent (s)

Mr. N.N. Sugunapalan Advocate for the Respondent (s)

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? *Y*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *to*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

MR. N. DHARMADAN JUDICIAL MEMBER

Applicants are casual labourers working under the respondents 1 & 2. Their grievance is that they have not been granted the benefit of the earlier judgment of this Tribunal in O.A. 37/90, Annexure A-8. In the said judgment we have considered identical issue and allowed the same with the following observation:

"In the facts and circumstances, we allow the application with the direction that the applicant is entitled to a daily wage of 1/30th of the minimum of the Class IV scale of Full Attendant/Milkman i.e. Rs. 750-940 plus dearness allowance for 8 hours of work per day in accordance with the Deptt. of Personnel's O.M. No. 49014/2/Est(c) dated 7.6.88 for the period he worked as a casual labourer in the fodder Unit of the Animal Husbandry Department. The arrears of wages and allowances, however will be paid to him for the period commencing from three years prior to the date of filing of this application. The payment of arrears should be made good within a period of three months from the date of communication of this order."

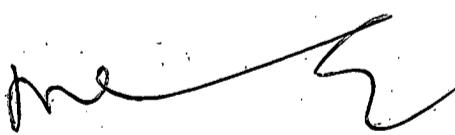
2. Applicants contended that they are also similarly situated and they submitted representation for getting the benefit of Annexure-8 judgment on 30.10.92 (Annexure-10). This representation has not been disposed of so far. Hence they have filed this application under section 19 of the Administrative Tribunals' Act for a direction to the respondents to give parity in payment of wages in the light of the observation in Annexure-8 judgment.

3. At the time when the case was taken for admission, learned counsel for respondents is also heard. He has no objection in disposing of this application with appropriate direction to the first respondent to dispose of Annexure A-10 representation in accordance with law.

4. Accordingly, having heard counsel appearing on both sides we are satisfied that justice in this case will be met if we dispose of this application with direction to the first respondent. Hence, we admit the application and dispose of the same directing the first respondent to consider and pass orders on Annexure A-10 representation bearing in mind the observation and finding in Annexure A-8 judgment. This shall be done within a period of two months from the date of receipt of a copy of this judgment.

5. The application is accordingly disposed of.

6. There shall be no order as to costs.


(R. RANGARAJAN)
ADMINISTRATIVE MEMBER


N. DHARMADASAN
27.1.93
JUDICIAL MEMBER

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27.1.93