

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.NO.179/2002

Tuesday this the 19th day of March, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. V.Rajkumar S/o Veluswamy,  
aged 41 years, Sorting Assistant,  
RMS TV Division, SRO Kollam,  
residing at Murugha Bhavan,  
Surianelly PO, Munnar Via.
2. K.K.Ramani W/o Jayamohanan, aged 38 years  
Sorting Assistant, RMS TV Division,  
Kollam. residing at Kunnumpurath House,  
Amvikuzhi PO, Anikad, Kottayam.68.
3. G.Hari Prakash, S/o P.Gopinathan Pillai,  
aged 38 years, Sorting Assistant,  
RMS TV Division, Kollam,  
residing at Palvila Puthenveedu,  
Near BHS, Attingal,
4. Lalla R D/o P.Sukumara Pillai,  
aged 38 years, Sorting Assistant,  
RMS TV Division, Kollam,  
residing at Pullannivila Veedu,  
Navalkulam PO, Trivandrum.
5. C.B.Suresh S/o Balakrishna Pillai,  
aged 41 years, Sorting Assistant,  
RMS TV Division, Kollam,  
residing at Chempil Puthenveedu,  
Perumon PO, Kollam District. ....Applicants

(By Advocate Mr.M.R.Rajendran Nair)

V.

1. Union of India, represented by the  
Secretary to Government of India,  
Ministry of Communications,  
New Delhi.
2. The Director General of Posts,  
New Delhi.
3. Chief Post Master General,  
Kerala Circle, Trivandrum.
4. Senior Superintendent of Railway Mail  
Service, Trivandrum Division,  
Trivandrum.


5. S.M.Nazeer, Sorting Assistant,  
RMS TV Division,  
Trivandrum HRO.
6. S.Hemachandra Kumar, Sorting Assistant,  
RMS TV Division, HRO Trivandrum. Respondents  
(By Advocate Mr.TC Krishna)

The application having been heard on 19.3.2002, the Tribunal on the same day delivered the following:

O R D E R

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

The applicants five in number have filed this application for a declaration that they are entitled to have their seniority prior to Annexure.A2 restored for all future promotions and placements and direct the respondents to restore the said seniority for all future requirements. The persons whose names are shown in Annexure.A2 have been impleaded as Respondents 5 and 6. The applicants as also Respondents 5&6 were initially engaged as R.T.P. Postal Assistants and were thereafter regularly absorbed. Respondents 5&6 alongwith two others filed OA 1410/95 claiming seniority with effect from the date of their initial engagement as RTP. The OA was allowed. It was in implementation of the judgment of the Tribunal that Annexure.A2 was issued. The applicants alongwith others sought parity with Respondents 5 and 6 by filing OA 524/97 which was dismissed. The OP filed against the judgment was also dismissed by the High Court. It was thereafter that the applicants made a representation on 30.8.2000. Finding no response to the representation, the applicants have filed this application for the aforesaid reliefs.



2. M.A. 290/2002 filed for condonation of delay has been dismissed by us by a separate order today. Therefore the application being barred by limitation is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. As there is no subsisting cause of action the M.A. <sup>for</sup> joining together is also dismissed.

Dated the 19th day of March, 2002

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of order dated 8.2.1996 in O.A 1410/1995 on the file of this Hon'ble Tribunal.
2. A-2 : True copy of Order No.8-29/DLG/93/II dated 15.5.1996.
3. A-3 : True copy of representation dated 8.7.1996 made by the 1st applicant to the 4th respondent.
4. A-4 : True copy of letter No.8-1/GNL dated 23.7.1996 of the 4th respondent.
5. A-5 : True copy of final order dated 30.10.1999 in O.A 524/97 and connected cases on the file of this Hon'ble Tribunal.
6. A-6 : True copy of judgment dated 9.6.2000 in O.P 15613/2000 of the Hon'ble High Court of Kerala.
7. A-7 : True copy of representation dated 30.8.2000 submitted by the applicant to the 4th respondent.

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