

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. 203/94

Wednesday, this the 21st day of December, 1994

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR. S. P. BISWAS, ADMINISTRATIVE MEMBER

1. K. Sarojini
Part-time Sweeper
Head Record Office
Railway Mail Service,
Trivandrum-695 001

2. G. Saramma
Part-time Sweeper
Head Record Office
Railway Mail Service
Trivandrum-695 001

Applicants

By Advocate Mr. Thomas Mathew

vs.

1. Head Record Officer,
Railway Mail Service
Trivandrum-695 001

2. Senior Superintendent,
Railway Mail Service,
Trivandrum-695 003

3. Deputy Director,
Postal Accounts, Trivandrum-10

4. Chief Post Master General,
Kerala Circle, Trivandrum-695033

5. Director General,
Department of Posts, New Delhi

6. Union of India represented by its
Secretary, Ministry of Communications
New Delhi

Respondents

By Advocate Mr. T.P.M. Ibrahim Khan, SCGSC

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicants who claim to have put in 14 years and 12 years of service (para 4 of the original application), seek regularisation or alternatively grant of temporary status in accordance with the scheme framed by the department on 29.11.89. It is admitted by respondents in para 3 of

reply statement that first applicant had been working from 19.9.79 and second applicant from 8.5.81. This Tribunal has held on more occasions than one, that no distinction can be made between part-time casual employees and full-time casual employees for purposes of regularisation or grant of temporary status in terms of the scheme dated 29.11.89 (referred to in para 12 of the original application).

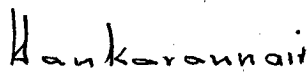
2. The question that survives for consideration is whether applicants satisfy eligibility conditions visualised by the scheme dated 29.11.89. This calls for a fact adjudication, and such fact adjudication must be made by fourth respondent. Since respondents have themselves admitted engagement of applicants from 19.9.79 and 8.5.81, they will ascertain further relevant facts and take a decision on the question of grant of temporary status/regularisation within four months from today. Applicants if so advised, may place before fourth respondent such evidence as they may have in support of their claim.

3. We dispose of the application as aforesaid. No costs.

Dated the 21st day of December, 1994.


S. P. BISWAS
ADMINISTRATIVE MEMBER

Kmn 21.12.94


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN