

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.218/97

Thursday this, the 27th February, 1997.

CORAM

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

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

N.Gopinathan Nair,
Part-time Casual Mazdoor,
Head Record Office,
Railway Mail Service,
Trivandrum.

..Applicant

(By Advocate Mr.Thomas Mathew)

vs.

1. Head Record Officer,
Railway Mail Service,Trivandrum.

2. Senior Superintendent,
Railway Mail Service, Trivandrum Division,
Trivandrum.

3. Director of Postal Services,
(Head Quarters),Office of the
Chief Postmaster General,
Kerala Circle, Trivandrum.

4. J.Krishnankutty,
S/o.late Janardhanan,
Puthenvila Veedu, Thuruvikkal,
Medical College P.O.
Trivandrum-695011. ..Respondents

(By Advocate Mr.George Joseph,ACGSC).

The Application having been heard on 27th February,1997, the Tribunal on the same day delivered the following:

ORDER

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN:

Applicant who claims to have been rendering casual service under the Head Record Officer, RMS,Trivandrum since 1979 and his name having been included in the list of approved mazdoors with effect from 8.7.1984 is aggrieved by the fact that the respondents 1 to 3 have conferred temporary status on the 4th respondent who according to him is an outsider having lesser length of service than the applicant while the benefit has been denied to him. The applicant has made a representation

on 12.9.96(copy at A4) claiming the benefit of the scheme for grant of temporary status and regularisation and incidentally he has in the representation mentioned that one J.Krishnankutty who has been impleaded in this application as Respondent 4, his junior had been granted temporary status. Finding no response to this representation, the applicant has approached this Tribunal with this application seeking to have the A2 and A3 quashed and for a declaration that he is entitled to get temporary status with effect from 7.12.92 with all consequential benefits.

2. Shri George Joseph appears for the respondents 1 to

3. When the application came up Shri Thomas Mathew ,counsel for the applicant submits that applicant does not wish to press the prayer for quashing A2 and A3 and would be satisfied if the second respondent considers the representation made by the applicant and gives him a speaking order within a reasonable time. Shri George Joseph learned counsel for respondents states that the respondents have no objection if the application is disposed of with appropriate directions to the second respondent to have the representation submitted by the applicant considered and disposed of.

4. In the light of what is stated by the counsel at the Bar, we admit and dispose of this application with a direction to the second respondent to consider the representation made by the applicant on 12.9.96(A4) and to give him a speaking order within a period of two months from the date of receipt of a copy of this order. No order as to costs.

Dated the 27th February, 1997.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURES

1. Annexure A2: True copy of order No.C/Tempt/Status/
J.K. Kutty dated 9.7.1996 of the 2nd respondent.
2. Annexure A3: True copy of order No.Rectt/27.2.94-Pt
dated 4.7.1996 of the 3rd respondent.
3. Annexure A4: True copy of applicant's representation
dated 12.9.1996 to the 2nd respondent.

.....