

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No.
T. A. No.

261

199 92

DATE OF DECISION 6.11.92

M.A. Nirmala

Applicant (s)

Mr. M.R.Rajendran Nair

Advocate for the Applicant (s)

Versus

The Chief Post Master General, Respondent (s)
Kerala Circle, Trivandrum and others

Mr. V. Krishnakumar ACGSC

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. P.S. Habeeb Mohamed, Administrative Member

The Hon'ble Mr. N. Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

Mr. N. Dharmadan, Judicial Member


When the case came up for final hearing today, learned counsel for applicant submitted that the decision in O.A.219/92 applies in this case also because the facts and question of law raised in both the cases are the same.

2. The learned counsel for respondents submitted that he has filed reply in this case and the case may be adjourned for final hearing. We have considered the arguments and perused the records. On perusal of the judgment in O.A. 219/92, we are satisfied that the submission made by the learned counsel for applicant can be accepted and the application can be disposed of following the judgment in O.A. 219/92.

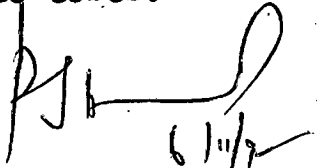
3. Since we are satisfied that the facts of this case are similar, we follow the judgment in O.A. 219/92 and decide

to dispose of the application with the same directions as in O.A. 219/92. Hence, the application is disposed of with the following directions:

- a) The claim of the applicant for regularisation w.e.f. the date of her initial engagement or from the date of completion of her training is not granted.
 - b) If the applicant had, after recruitment as RTP Postal Assistant, been rendering service for 8 hours a day continuously, on completion of one year of such service, she should be deemed to have attained temporary status and half the period of 8 hours a day service after attaining temporary status should be reckoned for the purpose of qualifying service for pension.
 - c) All the benefits available to the casual mazdoors after attaining temporary status and subsequent regularisation under the scheme should also be extended to the applicant, if she satisfies the above conditions; and
 - d) The applicant should be paid productivity linked bonus if like casual mazdoors she had put in 240 days of service each year for 3 years or more as on 31st March of each bonus year after her recruitment as RTP candidate i.e. the benefit of the judgment in O.A. 612/89 and OA 171/89 should be extended to the applicant also.
4. The application is ~~xxxx~~ accordingly disposed of on the above lines.
5. There will be no order as to costs.


(N. Dharmadan)
Judicial Member

khn


(P. S. Habeeb Mohamed)
Administrative Member