

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 305 of 1995

Tuesday this the 21st day of March, 1995.

CORAM

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

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

K.Sukumaran Nair
S/o Kunjan Pillai,
Part-time Chowkidar,
Head Record Office,
Railway Mail Service,
Trivandrum-695001.

... Applicant

(By Advocate Mr. Thomas Mathew)

Vs.

1. The Head Record Officer,
Railway Mail Service,
Trivandrum-695 001.
2. Senior Superintendent,
Railway Mail Service,
Trivandrum Division,
Trivandrum-695 003.
3. Chief Post Master General,
Kerala Circle, Trivandrum-33.
4. 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

Applicant claims certain benefits on the basis of the decision in O.A.399/93 of this Bench following the decision in O.A.912/92 of Hyderabad Bench.

2. We find from A7 that the decision in O.A. 912/92 of the Hyderabad Bench of this Tribunal has been stayed by the Supreme Court of India.Applicant

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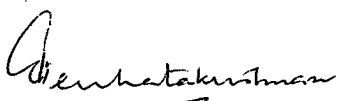
cannot therefore claim the benefit of that decision. Notwithstanding this, learned counsel for applicant submitted that another employee had been granted the benefit (A3) and that the same treatment may be extended to applicant. From A3 we find that benefit was granted to the other employees:


"subject to the outcome of the S.L.P"

Presumably the orders of stay had not been issued then. Whatever that be, if another employee has been given the benefit after the Supreme Court's order staying the order in O.A.912/92, applicant may bring this fact to the notice of the department.

3. Subject to this direction, we dismiss the application. No costs.

Dated 21st day of March, 1995.


P.V.VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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List of Annexures

Annexure A-3:- True copy of Memo No.C/Temp.Status
dtd. 19-8-94 of the 2nd Respondent

Annexure A-7:- True copy of Memo No.OS/OA 1483/94
dtd. 20-1-95 of the 2nd Respondent