

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No.305/2003

Dated Thursday this the 10th day of April, 2003.

C O R A M

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER  
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

K.Kuttalingam  
Temporary Status Group 'D'  
Railway Mail Service, TV Division  
Kollam.

Applicant

(By advocate Mr.Thomas Mathew)

Versus

1. Senior Superintendent  
RMS TV Division  
Trivandrum.
2. Chief Postmaster General  
Kerala Circle, Trivandrum.
3. Director General  
Department of Posts  
New Delhi.
4. Union of India, represented by its  
Secretary, Department of Posts  
New Delhi.

Respondents

(By advocate Mrs.S.Chithra, ACGSC)

The application having been heard on 10th April, 2003, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

The applicant, who is working as a temporary status Group-D employee in the Railway Mail Service, TV Division, Kollam, is aggrieved that although as on 20.5.2001 he completed 3 years of casual service after the conferment of temporary status on 20.5.98 and, being so, he was entitled to the benefits available under A-2 order dated 30.11.92, the same benefits have not been given to him. The prayers sought for by the applicant in the OA are:

- (i) Declare that the applicant is entitled to be treated at par with temporary Group 'D' with effect from 20.5.2001 in terms of A-2 with all consequential benefits and is entitled to the benefits enumerated in A-2 with effect from 20.5.2001 and direct the respondents accordingly.
- 2.

- (ii) Direct the respondents to pay the applicant the benefit of leave salary for eligible leave availed and pay and allowances for holidays as admissible to temporary Group 'D' employee from 20.5.2001 onwards.

2. The applicant appears to have made A-3 & A-4 representations dated 1.6.2001 and 26.9.2001 respectively addressed to the 1st respondent and A-5 representation dated 1.1.2003 addressed to the 2nd respondent. However, no reply has been received by the applicant and no action in pursuance of the representations is in evidence.

3. When the matter came up for admission, Smt.S.Chithra, learned ACGSC took notice on behalf of the respondents. Sh. Thomas Mathew, the learned counsel appearing for the applicant would request that the applicant may be permitted to make a supplemental representation to the 2nd respondent, augmenting the points raised in the A-5 representation and the respondents be directed to consider and dispose of the same within a time frame. If orders are issued on these lines, the purpose of the OA would be served, according to the learned counsel. Counsel appearing for the respondents would submit that such a course of action may be taken, and the OA may be disposed of accordingly.

4. Accordingly, we dispose of this OA permitting the applicant to make a supplemental representation to support the claim already preferred by the applicant in his A-5 representation dated 1.1.2003 within a week's time from today, and directing the 2nd respondent to consider the such

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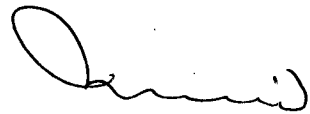
supplemental representation, if received within time, along with A-5, in the light of A-2 Government of India, Department of Posts order dated 30.11.92 and other instructions on the matter and issue a comprehensive reply to the applicant within six weeks from the date of receipt of the supplemental representation. No order as to costs.

Dated 10th April, 2003.



K.V.SACHIDANANDAN  
JUDICIAL MEMBER

aa.



T.N.T.NAYAR  
ADMINISTRATIVE MEMBER