

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 352 of 1996

Monday this the 25th day of March, 1996.

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR. P.V.VENKATAKRI SHNAN, ADMINISTRATIVE MEMBER

K. I. Thomas,
Casual Mazdoor (Tea Maker)
Departmental Canteen,
Telephone Exchange,
Kunnamkulam (residing at
Koottapala, Puthanpurayil,
Vazhani PO, Enkakkad Via.
Trichur.

...Applicant

(By Advocate Mr.M.R.Rajendran Nair)

Vs.

1. The General Manager, Telecom,
Trissur.
2. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum.
3. The Director of Canteens,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances
and Pension, New Delhi.
4. The Union of India represented by
Secretary to Government,
Ministry of Communications,
New Delhi. Respondents

(By Advocate Mr. TPM Ibrahim Khan, SCGSC)
The application having been heard on 25.3.1996, the
Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks a declaration that he is
liable to be treated as a Government Servant with
effect from 1.10.1991, based on the decision of the
Supreme Court in M.M.R. Khan's case, (1990 Supp.SCC 191).

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He would submit that irrespective of whether one is a casual employee, adhoc employee or a regular employee, an employee in a canteen is eligible to get the benefit in the light of the Supreme Court decision aforesaid and also in the light of the decision in O.A.1096/94.

2. We find that applicant has made A4 representation in this behalf and that it is pending consideration before first respondent. First respondent will pass a speaking order on the representation within two months from today. He will also examine the scope of the decisions in MMR Khan's case and O.A.1096/94.
3. Standing counsel submits that he will forward a copy of the original application and a copy of this order to first respondent for compliance. We record the submission.
4. Original application is disposed of as aforesaid. No costs.

Dated the 25th day of March, 1996.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

*ks253/-

LIST OF ANNEXURE

1. Annexure A4: True copy of the representation dated 22.1.1996 submitted by applicant to the Ist respondent.

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