

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 363/92
~~XXXXXX~~

~~499~~

DATE OF DECISION 5-6-1992

Siciliamma Michle and others Applicant (s)

M/s MR Rajendran Nair Advocate for the Applicant (s)

The Senior Superintendent,
Railway Mail Service, Calicut Respondent (s)
and others.

Mr Mathews J Nedumpara, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. SP Mukerji, Vice Chairman

and

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Y*
2. To be referred to the Reporter or not? *N*
3. Whether their Lordships wish to see the fair copy of the Judgement? *N*
4. To be circulated to all Benches of the Tribunal? *N*

JUDGEMENT

Shri SP Mukerji, Vice Chairman

We have heard the learned counsel of both the parties.

2 In this application, the applicants are claiming productivity linked bonus for the period they rendered service as RTP employees.

3 The learned counsel for the respondents has prayed that the counter affidavit filed by the respondents in OA 612/89 should be taken as valid for this case also. Since the applicants are similarly situated as the applicants in OA 612/89 and the respondents themselves have chosen to adopt the counter-filed in that case,

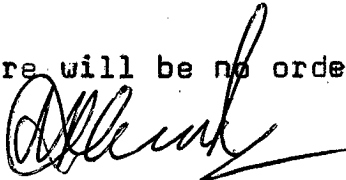
we see no reason why the decision given by the same Bench on

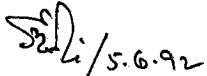
26.4.90 in that case should not be made applicable to the applicants in this case before us also, following our findings in the above O.A.

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4 In the circumstance, we allow this application to the extent of declaring that the applicants as RTP employees are entitled to the benefit of productivity linked bonus, if like the casual workers they put in 240 days of service in each year for 3 years or more as on 31st of March of each bonus year after their recruitments. The amount of productivity linked bonus would be based on their average monthly emoluments determined by dividing the total emoluments ^{during} ~~of~~ each ~~accounting~~ ^h year of eligibility by twelve and subject to the other conditions of the scheme prescribed from time to time. The productivity linked bonus should be paid to the applicants within a period of two months from the date of communication of this order.

5 There will be no order as to costs.


(AV Haridasan)
Judicial Member


(SP Mukerji)
Vice Chairman

5.6.92