

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 372 1993.

DATE OF DECISION 17.3.93

P.K. Pushpavally and others Applicant (s)

Mr. M. Sasindran Advocate for the Applicant (s)

Versus

Union of India represented by Respondent (s)
Secretary, Ministry of Communications, New Delhi and others

Mr. P.A. Mohamed, AGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P. MUKERJI VICE CHAIRMAN

The Hon'ble Mr. A. V. HARIDASAN JUDICIAL MEMBER

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

JUDGEMENT

MR. S. P. MUKERJI VICE CHAIRMAN

We have heard learned counsel for both parties and gone through the documents. The applicants before us are working as Postal Assistants at present and have sought the same benefit of bonus for their service rendered as RTP candidates as has been extended to their comperes by this Tribunal in O.A. 171/89. A copy of the judgment has been appended as Annexure-2 to the application. The respondents on the representations of the applicants denied their prayer, by the impugned order dated 14.8.92, Annexure-4 indicating that only those who were parties to the O.A. are eligible to get the benefit of that judgment.

2. We feel that if the applicants before us are similarly placed as those in O.A.171/89, the benefits of the

judgment of this Tribunal in that O.A. ^{should} ~~will~~ also be extended to them. Accordingly, we set aside the impugned order dated 14.8.92, Annexure-4 and allow the application with the direction that the benefit of productivity linked bonus for their service, if any, as RTP shall be extended to ^{applicants} them if, like the casual ~~workers~~, they have put in 240 days of service each year for three years or more as on 31st March of each bonus year after their recruitment as RTP candidates. The amount of productivity linked bonus would be based on their average monthly emoluments determined by dividing the total emoluments for each accounting year of eligibility by 12 and subject to other conditions of the scheme prescribed from time to time. Action on the above lines shall be completed within a period of three months from the date of communication of this order.

3. There shall be no order as to costs.


(A. V. HARIDASAN)
JUDICIAL MEMBER


(S. P. MUKERJI)
VICE CHAIRMAN

17.3.93

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