

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 373 of 1997.

Friday this the 14th day of March 1997.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. K.RAMAMOORTHY, ADMINISTRATIVE MEMBER

K. Raghunathan,
Tea Maker, Neyyattinkara
Head Post Office, residing at
Chirathalavilakam,
Meleputhenveedu,
Balaramapuram, Paituvila P.O., .. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Senior Superintendent
of Post Offices, Trivandrum,
South Division.

2. The Chief Post Master General,
Department of Posts,
Kerala Circle, Trivandrum.

3. Union of India, represented by
Secretary to Government of India,
Ministry of Communications,
New Delhi.

4. Director of Canteens,
Department of Canteens,
New Delhi. .. Respondents

(By Advocate Shri S. Radhakrishnan)

The application having been heard on 14th March 1997,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Applicant is a Tea Maker in the Departmental Canteen
Registration No.TA 335/D at Neyyattinkara. His grievance is
that he has not been treated as a Government servant with effect
from 1.10.91 and given the benefits accordingly. The

contd.

representation in this regard has not been responded to. Therefore, applicant has filed this application for the following reliefs:

"(1) Declare that the applicant is entitled to be treated as Government Servant with effect from 1.10.91 in view of Annexure A.1 government order and to direct the respondents to create 1 post of tea maker in the scale of pay of Rs.750-940 to appoint applicant against that post with effect from 1.10.91 with all consequential benefits, including arrears of pay and allowances.;

(2) Grant such other reliefs as may be prayed for and the Tribunal may deem fit to grant; and

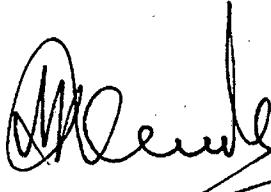
(3) Grant the cost of this Original Application."

2. When the application came up for hearing on admission, learned counsel for respondents stated that the representation made by the applicant would be considered by the respondents and a speaking order would be issued within a time to be stipulated by the Tribunal. Learned counsel for applicant submits that the application may be disposed of with appropriate directions to first respondent in this regard.

3. In the light of the submissions made by the counsel at the Bar, the application is admitted and disposed of with a direction to first respondent to consider the representation dated 9.9.96 in the light of the rules, rulings and other instructions on the subject and a speaking order be given to the applicant within a period of two months from the date of receipt of a copy of this order. No costs.

Dated the 14th March, 1997.


K. RAMAMOORTHY
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURE

1. Annexure A1: True copy of the letter No.12/5/91-Dir(C) dated 29.1.1992 issued by the 4th respondent.