

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 398 OF 2011

Wednesday, this the 18th day of May, 2011

CORAM:

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

K.Kuttan
Night Watchman
Thiruvananthapuram MBC
RMS 'TV' Division,
Thiruvananthapuram

Applicant

(By Advocate Mr.Vishnu S Chempazhanthiyil)

versus

1. The Senior Superintendent
RMS 'TV' Division,
Thiruvananthapuram
2. Union of India represented by its
Chief Post Master General
Kerala Circle,
Thiruvananthapuram

... Respondents

(By Advocate Mr.Millu Dandapani, ACGSC)

The application having been heard on 18.05.2011, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER

The applicant is a Part Time Contingent Employee in the RMS TV Division, Neyyattinkara. He was appointed after undergoing the selection process through Employment Exchange. Later he was posted as Night Watchman in Thiruvananthapuram MBC, RMS TV Division as evidenced from Annexure A-2 order dated 04.07.2008. According to the applicant, though he is given duty from 19.45 hours to 05.30 hours, he was paid wages for 6 1/2 hours only. Thus according to him, he is actually working for

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9 $\frac{1}{2}$ hours, but he was paid only for 6 $\frac{1}{2}$ hours. We find from Annexure A-2 that though his duty hours is from 19.45 hours to 05.30 hours, it is clearly stated that it is limited to 6 $\frac{1}{2}$ hours. However, whether he has actually worked for 9 $\frac{1}{2}$ hours is a factual aspect and based on the averments of the applicant alone, we cannot possibly take a decision. According to the applicant, he has made representations Annexures A-3 and A-4 dated 05.01.2010 and 30.12.2010 respectively. Mr. Millu Dandapani, ACGSC takes notice on behalf of the respondents. In the circumstances, we direct the Senior Superintendent, RMS 'TV' Division to consider Annexure A-4 representation and dispose of the same in accordance with law and inform the applicant of the order.

2. OA is disposed of. No costs.

Dated, the 18th May, 2011.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R.RAMAN
JUDICIAL MEMBER

vs