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CAT/J/12

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

CA 866/88

O.A. No. 866/88

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DATE OF DECISION 16.7.1991

Shri P.N. Nandanwar Petitioner

Applicant in person. Advocate for the Petitioner(s)

Versus

Gen. Man., Pune Telecom & Anr. Respondent

Shri V.S. Masurkar Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. JUSTICE U.C. SRIVASTAVA, VICE CHAIRMAN

The Hon'ble Mr. M.Y. PRIOLKAR, MEMBER (A).

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. Whether it needs to be circulated to other Benches of the Tribunal ?



( U.C. SRIVASTAVA )  
VICE CHAIRMAN.

(7)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

O.A.866/88.

P.N. Nandanwar,  
C/o. Shri Pitter Barse's House,  
Behind Dr. Nikam's Residence,  
Pimpri,  
PUNE - 411 017.

.. Applicant.

V/s.

1. The General Manager,  
Pune Telecom,  
PUNE - 411 002.
2. The Accounts Officer (TR),  
Pune Telecom,  
281/B, Bajirao Road,  
PUNE - 411 002.

.. Respondents.

Coram : Hon'ble Justice Shri U.C. Srivastava, Vice  
Chairman.

Hon'ble Member (A) Shri M.Y. Priolkar.

Appearances:

Applicant in person and  
Mr.V.S. Masurkar, Advocate  
for the respondents.

ORAL JUDGMENT:

Dated : 16.7.1991.

| Per : Hon'ble Shri U.C. Srivastava, Vice Chairman |

The grievance of the applicant is that as a result of introduction of 5 day week, daily out-turn in the Telephone Department has been increased by 16% in the existing out-turn of Typist from 5.5.1987 and the Department of Telecommunication has also issued the revised standard order to this effect. According to the applicant daily out-turn of the typists is to be fixed as 960 tickets + 153 tickets (16%) = 1113 tickets i.e. say 1110 tickets per day and as such excess work obtained from the typists at the rate of 70 tickets per day is to be

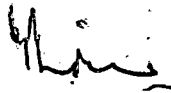
refunded from 1.12.1986 to 28.2.1988 and the same may be converted into OTA (cash compensation) at the rate of 140 tickets per hour at the rate of Rs.3.45. The department, according to the applicant, has wrongly calculated the daily out-turn at the rate of 1350 tickets per day as such refund of 240 tickets per day is to be refunded by converting the same in cash compensation from 1.3.1988 to 31.7.1988 at the rate of 140 tickets per hour at the rate of Rs.3.45. The proposal of cash compensation dated 21.4.88 which has been recommended and suggested is to be approved for Rs.1528/-. The department has delayed the honoraria case intentionally and cash compensation as such may be directed to be paid with interest at the rate of 12% from April 1988 till the date of making full compensation payment. Again the applicant has been agitating the matter with the departmental authorities and admittedly later on he made representation to his superior authorities.


2. On behalf of the respondents a plea has been raised that the applicant has not exhausted the departmental remedy viz. appeal which is provided and has approached the Tribunal. The applicant has suitably replied that he has not only approached the Union but he did approach the Department and filed his representation, reference to which has been given in the rejoinder affidavit. Notwithstanding the fact that his superior authorities have not cared to dispose of the representation is a very sad state of affair. Accordingly, we direct the appellate authority before whom the representation is filed by the applicant and which is pending, to dispose of the same after taking into

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consideration the pleas and grievances raised by the applicant and also the revised order which is said to have been issued on 10.2.1990, in accordance with the rules, within a period of two months from the date of communication of the order. The superior authority shall pass a speaking order. There will be no order as to costs.

  
( M.Y. PRIOLKAR )  
MEMBER(A).

  
( U.C. SRIVASTAVA )  
VICE CHAIRMAN.