

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 369 of 2001.

Dated this Monday, the 28th day of May, 2001.

CORAM : Hon'ble Shri Justice B. Dikshit, Vice-Chairman.
Hon'ble Shri B. N. Bahadur, Member (A).

1. Ramesh M. Patil
2. Suresh N. Raut.
3. Frioze A. Patel.
4. Kumari Varsha S. Dabhade.
5. Shashikant B. Ratnaparkhi.
6. Dhananjaya G. Himpalnerkar.
7. Vijay J. Pande.
8. Prabhu N. Sapkal.
9. Satish Motiram Raut.
10. Balaji D. Tupe.
11. Kailash B. Chavan.
12. Suresh P. Wankhede.
13. Mahindra P. Kadhare.
14. Jitendra P. Kadhare.
15. Sanjay P. Kadhare.
16. Milind Shankarrao Gayakwad.
17. Jyoti Jayram Ahirkar.
18. Prakash S. Wakle. ... Applicants.

(By Advocate Shri D. R. Irale Patil)

VERSUS

1. The Union of India through
The Chief Post Master General,
Maharashtra Circle,
Mumbai - 400 001.
2. Post Master General,
Cantonment Post Office,
Aurangabad.
3. Sr. Post Master,
Juna Bazar,
Head Post Office,
Aurangabad - 431 001. ... Respondents.

(By Advocate - None).

OPEN COURT ORDER

PER : Shri B. Dikshit, Vice-Chairman.

Heard the Learned Counsel, Shri D. R. Irale Patil for the Applicant.

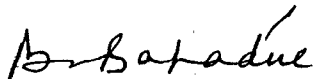
2. The facts of the case are as follows :

The applicants were appointed during postal strike in the month of December, 2000. According to the averments by the applicants, they were assured by Respondent No. 2 and 3 that their services will continue after strike. However, the strike continued for four days, after which their services were terminated and subsequently their services were utilised for three months as an outsider, who worked during December 2000 strike, in view of letter dated 01.03.2001 of the Sr. Superintendent of Post Office, Aurangabad. The applicants were asked to go after receipt of letter dated 16.05.2001 of Sr. Post Master, Head Post Office, Aurangabad. This letter was issued in accordance with the directions of Chief Post Master General, Mumbai, who directed to discontinue the services of outsiders with immediate effect.

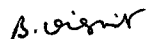
B. Dikshit

3. The Learned Counsel for the applicants has argued that the applicants have served the Post Office during crises arising from strike and in pursuance of the assurance given, they are entitled to continue, especially when the daily wages and casual workers are being employed.

4. We are not satisfied with the arguments advanced. No vested or legal right of applicants is affected by discontinuance of their service in pursuance of the letter of Chief Post Master General. So far as working of daily wages and casual workers are concerned, even if it is accepted that the Post Office at Aurangabad are engaging such workers, that must be for the reasons that some casual or temporary work is there, which is being looked after by them as and when occasion arise. This cannot be a ground for granting any reliefs to the applicants. The application is rejected summarily at the admission stage. No costs.



(B. N. BAHADUR)
MEMBER (A).



(B. DIKSHIT)
VICE-CHAIRMAN.

OS*