

-5-

**IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL ADDITIONAL BENCH,  
BANGALORE**

Applicant  
H.A. Suman Gowda

A.No.438/86.(F)

Respondent

Order Sheet ~~(Number)~~

Superintendent of Post Offices  
Hassan.

Date	Office Notes	Orders of Tribunal
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19.9.1986.

Shri M. Raghavendrachar, learned counsel for the applicant, submits that his client was kept off duty on 31.5.1983; that he was removed from service on 23.12.1983; that the order of xx removal from service was set aside by the appellate authority on 16.1.1984 and the matter was remanded for fresh consideration; that his client was again removed from service on 18.10.1985 and as such, he is entitled to payment of back wages for the period from 31.5.1983, \* when he was initially put off duty until 18.10.1985, when he was removed from service. There is force in this submission, since the <sup>substantive</sup> ~~actual~~ relationship of master and servant continued to exist during the aforesaid period. We, therefore, direct the respondents to pay the back wages for the period from 31.5.1983 to 18.10.1985/within two months from the date of receipt of this order. Application allowed accordingly; no order as to costs.

*Ch. Ramakrishna Rao*

(CH. RAMAKRISHNA RAO)  
MEMBER (J)  
19.9.1986.

*L.H.A. Rego*  
~~XXXXXXXXXX~~ (L.H.A. REGO)  
MEMBER(A)  
19.9.1986.

dms.

11/12/86

*Copy of order  
sent to all the parties.  
JAI Modification  
of Judgment dt 19/9/86*

*Advocate for  
the Applicant has  
filed an JAI u/s  
151 of CPC. That for  
the reasons stated  
therein it is prayed*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE THIRTIETH DAY OF JANUARY, 1987

Present: Hon'ble Shri.Ch.Ramakrishna Rao

Member(J)

Hon'ble Shri L.H.A.Rao

Member(AM)

APPLICATION NO. 438/86(F)

H.A.Swamygowda,  
C/o M.Raghavendra Achar, Advocate  
No.1074 and 1075, Banashankari Ist Stage,  
Sreenivasa Nagar II Phase,  
Bangalore.

...

Applicant

( Shri M.Raghavendra Achar ... Advocate )

Vs.

1. Superintendent of Post Offices,  
Hassan Division, Hassan.
2. Post Master General in Karnataka,  
Bangalore.
3. Union of India represented by its  
Secretary and Commissioner,  
New Delhi.

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Respondents

( Shri M.Vasudeva Rao ... Advocate )

This application has come up before the court today.

Hon'ble Shri L.H.A.Rao, Member(A) made the following:

ORDER

Shri M.R.Achar for the applicant and Shri M.Vasudeva  
Rao for the respondents.

2. The applicant has filed this Interim Application  
for modification of our order dated 19.9.1986 wherein we have  
stated that the applicant was put off duty on 31.5.1983 on  
the basis of the statement made in the application. It is  
now stated in the I.A. that the actual date on which the  
applicant was put off duty was 14.4.1981.

3. Shri Achar has prayed that he may be permitted to