

Duplicate for TSJ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY:1

Original Application No. 1010/93 and 1017/93

Wednesday the 2nd day of April 1997.

CORAM: Hon'ble Shri P.P. Srivastava, Member (A)

Manga Sampat Pawar
Casual Labour, (Postman)
Dhule Head Post Office,
Dhule. residing at
Behind Plot No.11 A,
Sant Sena Colony,
Vidyanagari, Devpur
Dhule.

Vinayak Babanrao More
Casual Labour (Postman)
Dhule Head Post Office
Dhule residing at
G.No. 5, House No.2639/1
Kisan Battiwala Chowk
Dhule.

... Applicants.

By Advocate Shri S.P. Kulkarni.

V/s.

Union of India through
Sr. Postmaster
Dhule Head Post Office
Dhule.

Senior Supdt. of Post
Offices, Dhule Division
At P.O. Dhule

Postmaster General
Aurangabad Region
Aurangabad

... Respondents.

By Advocate Shri S.S. Karkera for Shri P.M. Pradhan.

ORDER (ORAL)

¶ Per Shri P.P. Srivastava, Member (A) ¶

Heard counsel for the parties.

2. Both the O.As have the same question of law involved and therefore are being disposed of by a common order.

...2...

3. The learned counsel for the applicant *if has* confined only to relief 8(d) which reads as under:

" Alternatively the applicant be allowed to take up the special exam. for absorption as Postman as soon as Exam. is announced to regularise casual labourers. and consequential benefits arising out of this."

Similar issue has already been decided by this Tribunal following the Full Bench decision in the case of G. Manjunath and others V/s. The Post Master General Bangalore and others reported in Full Bench Vol II 1989 - 1991 page 457 A.No. 1155 to 1168 of 1989 decided on 19.4.91. The applicants are entitled to appear for the examination to ^{the post to which they belong} which they belong in terms of Administrative instructions dated 16.7.90 which are placed at Exhibit F . The Full Bench judgement permits ^{that} the employees like the applicants can avail two chances for appearing in the competitive examination as and when it is held.

4. In view of this clear cut rule of the Full Bench and also the decision in OA 949/94 and O.A. 957/94 decided on 27.3.97, I dispose of these O.As with a direction that the applicant should be permitted two chances for appearing in the examination for the post of Postman as and when the examination is conducted. The applicants would be continued to be given work as per the requirements of the Department. Accordingly the O.As are disposed of.

(P.P. Srivastava)
Member(A)