

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:1250.95

DATE OF DECISION: 31.3.2000

Shri Miyajan Babu Shaikh and others Applicant.

Shri S.P.Kulkarni Advocate for
Applicant.

Versus

Union of India and others Respondents.

Shri S.S.Karkera for Shri P.M.Pradhan Advocate for
Shri S.P. Saxena for respondent No.5 Respondents

CORAM

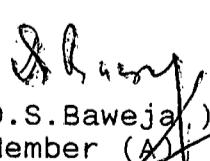
Hon'ble Shri D.S. Baweja, Member (A)

Hon'ble Shri S.L. Jain Member(J)

(1) To be referred to the Reporter or not?

(2) Whether it needs to be circulated to other Benches of the Tribunal?

(3) Library.


(D.S.Baweja)
Member (A)

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:1250/95

FRIDAY the 31st day of MARCH 2000

CORAM: Hon'ble Shri D.S. Baweja, Member (A)

Hon'ble Shri S.I.Jain, Member (J)

1. Miyajan Babu Shaikh
Residing at 669
Room No., Kasewadi
Bhawani Peth,
Pune.
2. Vijay Ramsingh Thakur
Residing at Wanwadi Bazar,
Shinde Chawl, Jethecha Mala,
Pune-40.
3. Prakash Udwarao Ligade
Residing at Vidya Wadi
S.No. 316,
Hadpasar, Pune.
4. Ramesh Prabhakar Thorat
Residing at Narkhelkar Chawl,
Room No.4, Yerwada, Pune.
5. Saleem Imamsaheb Samudri
Residing at Kodhawa Khurd,
S.No. 52, Pune.
6. S.G. Khutawad
Residing at 252,
Datta Wadi, Pune.
7. Arun Babanrao Paigude
Residing at 1426,Kasba Road,
Pune.
8. Chandrakant Arjun Gabdule,
Residing at Cricket Wadi,
Pune.
9. Barku Balajee Ganjale
Residing at Keshav Nagar,
Mundhava, Pune.
10. Dnyanoba Maruti Gund
Residing at Ghar No 18,
Wanwadi Goan, Pune.
11. Kaluram Ganpat Shintole
Residing at 160/71,
Bhawani Peth,
Pune.

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12. Dnyaneshwar Vithal Bhiware
Residing at Sangam Wadi,
Pune.

13. Aslam Yusuf Inamdar
Residing at 126/6,
Shivdharshan, Pune.

14. Jailas Maruti Garud
Residing at 393,
Ganj Peth, Pune.

15. Sunil Kashinath Shinde
Residing at 526/18-B,
Gank Peth, Pune.

16. Raju C. Msanikkam
Residing at 19,
Audh Road, Pune.

17. Kishor Kanhya Waghmare
Residing at Khadki
Pune.

18. Deepak Tukaram Kamble
Residing at P.O. Alandi,
Tal. Bhor District-Pune.

19. M.S. Rahane
Residing at P.O. Phursungi
Tal. Haweli, District-Pune.

20. V.K. Yende
Residing at P.O. Dabodi,
Pawar Chawl, Pune.

...Applicants.

By Advocate Shri S.P.Kulkarni.

V/s.

1. Union of India through
Senior Superintendent
of Railway Mail Service,
'B' Division, Pune.

2. Postmaster General
Maharashtra Circle,
Pune Region, Pune.

3. Superintendent of (Sorting)
Railway Mail Service
'B' Division,
Pune.

4. Head Record Officer,
Railway Mail Service,
'B' Division, Pune.

...Respondents

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



...3...

S. Namdeo Tukaram Chaudhary
RMS, 'B' Division, Pune.

... Respondent.

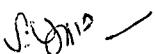
By Advocate Shri S.P. Saxena.

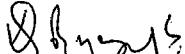
ORDER (ORAL)
(Per Shri D.S.Baweja, Member(A))

This application has been filed jointed by 29 applicants who are working as Casual Labours, Mail Man under the Senior Superintendent of Railway Mail Service, 'B' Division Pune. Applicant, have sought several reliefs covering temporary status and consequential benefits flowing out of the same, Provident Fund Contribution, Night Co-efficient, Facility of Overtime duty and regularisation against the Group 'D' vacacancies.

2. The respondents have filed written statement today. The learned counsel for the applicant as well as the learned counsel for the respondents made a statement that all the benefits claimed in the OA have since been granted except 8(e) i.e. regularisation. The learned counsel for the respondents states that as per rule, E.D.As are to be considered for regularisation first. The present status is that only one EDA entitled for regularisation is left. He further submits that there are 8 vacancies at present and after regularisation of one EDA, against the balance 7 vacancies, the Casual Labourers will be considered including the applicants as per seniority. Shri S.P. Saxena who is representing the intervenors conceded this position and stated that there is no grievance to the intervenor in case they are being considered for absorption first as per the rules.

3. In view of the above position, we dispose of the OA with a direction that the applicants be considered for regularisation against the vacancys as per seniority, as per the scheme laid down and as per the extant rules. No order as to costs.


(S.L. Jain)
Member (J)


(D.S. Baweja)
Member (A)