

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO. : 551/97

Date of Decision : 30.10.2001

N.H.Kanchan _____ Applicant

Shri S.P.Kulkarni _____ Advocate for the
Applicant.

VERSUS

Union of India & Ors. _____ Respondents

Shri S.S.Karkera for
Shri P.M.Pradhan _____ Advocate for the
Respondents

CORAM :

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

The Hon'ble Shri M.P.Singh, Member (A)

- (i) To be referred to the reporter or not ? No
- (ii) Whether it needs to be circulated to other Benches of the Tribunal ?
- (iii) Library No

S.L.Jain
(S.L.JAIN)
MEMBER (J)

mrj.

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NO.551/97

Tuesday this the 30th day of October, 2001.

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

Hon'ble Shri M.P.Singh, Member (A)

1. Narayan H.Kanchan
2. P.K.Undar Kogga
3. A.A.Palwankar
4. K.S.Shinde
5. P.M.Kawankar
6. R.V.Palkar
7. P.T.Mandavkar
8. S.K.Kud
9. K.B.Bore
- 10.K.D.Kadam
- 11.K.C.Ghavte
- 12.A.S.Mahakal
- 13.M.Y.Veer
- 14.M.G.Gunjal
- 15.C.P.Mhaskar
- 16.M.Jawalkar
- 17.A.D.Done
- 18.C.S.Kadu
- 19.A.N.Gothankar
- 20.S.H.Aare
- 21.B.V.Kotawdekar
- 22.A.G.Kamble
- 23.G.G.Harmalkar
- 24.S.K.Dabholkar
- 25.W.S.Magar
- 26.E.D.Haldankar
- 27.B.V.Warik
- 28.C.B.Sugdare
- 29.M.D.Repe
- 30.D.K.Mahakal
- 31.S.T.Kadam
- 32.B.K.Baugesa
- 33.S.K.Kalamkar

...Applicants

All are Canteen Staff

By Advocate Shri S.P.Kulkarni

vs.

Union of India through

..2/-

SM / -

1. Chief Postmaster General,
Maharashtra Circle, Old G.P.O.
Building, 2nd Floor, Fort,
Mumbai.
2. General Manager,
Bombay R.M.S. Departmental
Canteen, G.P.O., Mumbai.
3. Senior Superintendent of R.M.S.
Mumbai Sorting, Platon Road,
Near Fule (Crawford) Market,
Mumbai.
4. Honorary Secretary,
(Shri P.D.Malik),
The Bombay R.M.S. Employees
Consumer Co-operative Canteen
Society, G.P.O. Compound,
Mumbai.
5. The Secretary,
Department of Posts,
Ministry of Communications,
Dak Bhawan, 20, Asoka Road,
New Delhi.

...Respondents

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

O R D E R (ORAL)

{Per : Shri S.L.Jain, Member (J)}

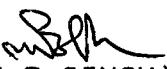
The applicants who have filed this OA. were seeking the reliefs as mentioned in para 8 of the OA. The respondents are Chief Postmaster General, General Manager, Bombay R.M.S. Departmental Canteen, Senior Superintendent of R.M.S., Honorary Secretary, Bombay R.M.S. Employees Consumer Co-operative Canteen Society and the Secretary, Department of Posts, Ministry of Communication.

PN 1

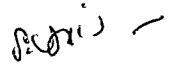
.3/-

2. The claim of over-time relates to the period 1.10.1991 to 20.3.1993. The applicants are treated to be Central Government employees in view of order dated 25.1.1992 w.e.f. 1.10.1991. In fact, the said society was undertaken by the Government only on 15.2.1994, as such, there is no Government order or order by the competent authority to take over-time work from the employees concerned. Facing the situation, the learned counsel for the applicant submitted that the Government has taken assets worth Rs.2,90,994.95 and the amount can be paid from the said assets. For determining the liability of Respondent No. 4, i.e. The Bombay R.M.S. Employees Consumer Cooperative Canteen Society, this Tribunal has no jurisdiction.

3. The applicants' counsel, on instructions, seeks permission to withdraw the OA. with liberty to approach the competent authority or Tribunal. We permit the applicants to withdraw the OA. As such the OA. is disposed of as withdrawn with no order as to costs.


(M.P.SINGH)

MEMBER (A)


(S.L.JAIN)

MEMBER (J)

mrj.