

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 Advocate for the  
Shri P.M.Pradhan 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 M.  
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.Mahakar
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.Mahakar
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/-

2/10/01

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. Honarary 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)}

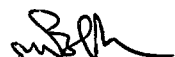
The applicants who have filed this OA. were seeking the reliefs as mentioned in para 8 of the OA. The respondents are Chief Postmaster General, General Manager, Bombay R.M.S. Departmental Canteen, Senior Superintendent of R.M.S., Honarary Secretary, Bombay R.M.S. Employees Consumer Co-operative Canteen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

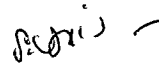
My / -

..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.