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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.511/89

Date of Order: 15.6.1993

BETWEEN:

J.Akambaram

.. Applicant.

A N D

Superintendent, Railway
Mail Service,
Visakhapatnam.

.. Respondent.

Counsel for the Applicant

.. Mr.P.B.Vijay Kumar

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI A.B.GORTHY : MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

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Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member(Admn.).

In this application the prayer of the applicant is for a direction to the respondents to absorb the applicant as a permanent employee in the Railway Mail Service. The applicant has stated that he joined the Railway Mail Service as a Casual Labourer on 21.12.1981 and that he was appointed regularly as a Part Time Packer. He was allotted six hours per day. The prayer of the applicant is that the department should take him as a regular employee.

2. The respondents in their counter affidavit have stated that there was no such ^{thing} ~~need~~ as appointing him as a regular Part Time Porter. He was merely employed as a part time casual labourer w.e.f. 20.6.1983 to work for six hours a day. The respondents' contention is that appointment to Group 'D' vacancy will have to be made in accordance with the rules called the Indian Posts and Telegraphs (Group D post) Recruitment (amendment) Rules 1989. Under the said Rules the following categories of persons would be ^{recruited} ~~regretted~~ to Group 'D' post:

- (i) Non-test category officials mentioned at Item-II.
- (ii) Extra departmental agents of the Recruiting Division or Unit in which vacancies are announced.
- (iii) Casual Labourers (Full-time and part-time) of the Recruiting Division or Unit.
- (iv) Extra departmental agents of neighbouring Division or Unit.

The respondents' further contention is that the applicant being a part-time casual labourer is not entitled for automatic absorption for Group 'D' post.

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Copy to:-

1. Superintendent, Railway Mail Service, Visakhapatnam.
2. One copy to Sri. P.B. Vijaya Kumar, advocate, 1-8-7/13, Sarvodaya colony, Chikadapally, Hyd-20.
3. One copy to Sri. N.R. Devarej, Sr. CGSC, CAT, Hyd.
4. One spare copy.

Rsm/-

SECRET

(This document is confidential)

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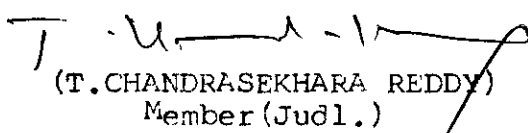
3. The last contention raised by the respondents has to be rejected in view of the Full Bench Judgement of this Tribunal dated 7.6.1993 in O.A.912/92 and 961/92. In that judgement it was held that the part-time casual labourers also would be entitled for grant of temporary status in Group 'D' ~~posts~~ and would be eligible for ^L absorption in such Group 'D' ~~posts~~ in accordance with the ^L Casual Labour (grant of temporary status and regularisation) Scheme dated 12.4.1991.

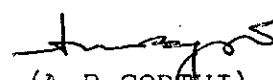
4. Keeping in view the above, this application can be disposed of with a direction to the respondents in the following terms:-

(A) The applicant will be granted temporary status in accordance with the casual labour (grant of temporary status and regularisation) scheme dated 12.4.1991.

(B) The applicant's case for regular absorption will be duly considered in accordance with the extant rules and in his own ~~term~~ ^{turn}. ^L

The application is allowed in the above terms. There shall be no order as to costs.

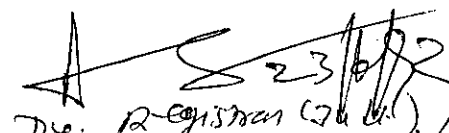

(T. CHANDRASEKHARA REDDY)
Member (Judl.)


(A. B. GORTHI)
Member (Admn.)

Dated: 15th June, 1993

(Dictated in Open Court)

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Dy. Registrar (Judl.)

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O.A. 511/89

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
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HYDERABAD BENCH
HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR. V.C.
AND
THE HON'BLE MR. A.B. Gosh ~~R. BALASUBRAMANIAN~~ M(A)
AND
THE HON'BLE MR. T. CHANDRASEKHAR REDDY M(J)
AND
THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 15/6 1992

ORDER/JUDGMENT:

R.A./C.A./M.A. No.

O.A. No.

T.A. No.

(W.P. No. 511/89)

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as with drawn

Dismissed for default.

M.A. Ordered/Rejected

No order as to costs.

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