

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 94/91.

Dt. of Decision : 17.6.94.

Mr. Ramdiya

.. Applicant

Vs

1. The Superintendent of Post Offices,
Warangal Division, Warangal.
2. The Chief Post Master General,
A.P.Circle, Hyderabad-500 001.
3. The Assistant Post Master General(S&E)
Postal Department, A.P.Circle,
Hyderabad.
4. The Secretary and Ex-Ufficio
Director-General of Posts,
Postal Department,
New Delhi - 1.

.. Respondents.

Counsel for the Applicant : Mr. S. Ramakrishna Reddy
Counsel for the Respondents : Mr. N.V. Ramana, Addl.CGSC.

CORAM:

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

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

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DA 94/91.

Dt. of Decision: 17-6-94.

(ORDERS PASSED BY HON'BLE SHRI A.B.GORTHI,
MEMBER (A)).

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The applicant has been working as a part time Scavanger at the Warangal Head Post Office from 1-9-79. Despite his continued service he is receiving only Rs.244-60 ps per month. His representation ~~for~~ authori-
¹⁵
~~authorizing~~ ¹⁶
ties concerned for ~~having~~ him as a regular Scavanger/Safaiwala was without any success. His prayer in this D.A. is for a direction to the Respondents to regularise his services as a full time Scavanger/Safaiwala or in any other suitable Group 'D' post.

2. The Respondents in their reply affidavit have admitted that the applicant was working at Warangal Head Post Office eversince from 1-9-79. The Respondents further clarify that the applicant was working as a part-time Scavanger only and is being paid Rs.261-60 including D.A. It is further clarified in the counter affidavit that for recruitment to Group 'D' cadre, Extra Departmental Agents are given preference over ¹⁷
~~partime~~ casual employees. There are a large number of E.D. Agents waiting to be appointed to Group 'D' post. Consequently there was no

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action for considering the case of the applicant for appointment to Group 'D' post.

3. Heard learned counsel for both the parties. It is nothing but unfortunate that the applicant continued to work as part-time casual employee only for the last about 15 years. We therefore sought clarification from the Respondent's counsel whether there was any regular post of Scavenger/Safaiwala in Warangal Head Post Office. On instructions from the Department, counsel has confirmed that no post of Scavenger/Safaiwala is existing at Warangal Head Post Office.

4. In view of the above position, learned counsel for the applicant has pleaded that atleast the benefit of Temporary Status may be granted to the applicant. A Full Bench of this Tribunal in O.A.912/92 and OA 961/92 held that part-time casual employees also could be considered for the benefit of "Casual Labour (Grant of Temporary Status) Rules". The said Full Bench judgment ~~is~~ ^{has} however been stayed by the Hon'ble Supreme Court. In view of this position, we dispose of this Original Application with the following directions to the Respondents :-

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(a) As and when the decision of the Hon'ble Supreme Court is given in the aforesaid batch cases the benefit of the same shall be extended to the applicant herein also;

(b) The Respondents shall consider the case of the applicant for regularisation in accordance with the extant rules and when the turn of the applicant comes, ^{up to} for such regularisation.

5. The Original Application is ordered accordingly with no order as to costs.

T. C. R.
(T.CHANDRASEKHAR REDDY)
Member (J)

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

Dated: 17th June, 1994.
Dictated in Open Court.

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DEPUTY REGISTRAR (J)CC

COPY TO:-

1. The Superintendent of Post Offices, Warangal Division, Warangal.
2. The Chief Postmaster General, A.P.Circle, Hyderabad - 500 001.
3. The Assistant Post Master General, (S&E) Postal Department, A.P.Circle, Hyderabad.
4. The Secretary and Ex-Officio, Director General of Posts, Postal Department, New Delhi - 1.
5. One copy to Mr. S. *Devarakonda*, Advocate, *CAT*, Hyderabad -
6. One copy to Mr. N.V. Ramana, Addl. CGSC, CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One spare copy.

YLKR

*With copy
2/6/94*

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COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
~~VICE CHAIRMAN~~

AND

THE HON'BLE MR. A. B. GURTHI : MEMBER(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
~~MEMBER(CUDET)~~

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 17- 6 -1994.

ORDER/JUDGMENT:

M.A./R.A/C.A. NO.

in

O.A.No. 94/91

T.A.No. (W.P.)

Admitted and Interim Directions
Issued.

Allowed

~~Disposed of with directions.~~

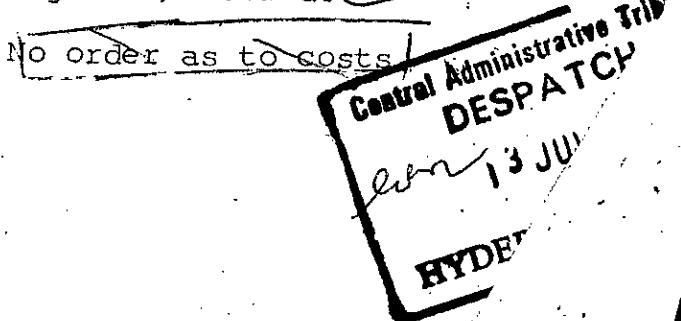
Dismissed.

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

~~No order as to costs.~~



pvm

S. Zulfiqar
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given power