

(93)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1060/93

Date of Order: 28.6.1993

BETWEEN :

SK.Mohd.Akbar

.. Applicant.

A N D

1. The Secretary, Ministry of Communication ~~as~~ Dept. of Posts, Dak-Bhavan, New Delhi.
2. The Chief Post Master General, Andhra Circle, Hyderabad.
3. The Director of Postal Services, O/o. P.M.G.Andhra Circle, Hyderabad.
4. The Sr. Supdt. of Post Offices, Hyderabad City Division, Hyderabad.
5. The Senior Post Master, Khiratabad, Head Office, Hyderabad. .. Respondents.

Counsel for the Applicant .. Mr.SD.Kulkarni

Counsel for the Respondents .. Mr.N.V.R amana

CORAM:

HON'BLE SHRI A.B.GORTHI : 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.).

The applicant was appointed as Part-time Contingent Watchman Cycle Stand (Casual Labour) at Khiratabad, H.O. w.e.f. 1.11.1984. Eversince that date the applicant has been continuously working as Part-time Chowkidar. He is drawing consolidated pay and allowances of Rs.858 per month. As he had worked for more than 8 years continuously in the said post he represented to the Senior Supdt. of Post Offices, Hyderabad Division on 24.8.1991 for regular appointment in a Group-D post. As his representation did not bring any relief he had filed this OA seeking a direction to the respondents to treat him as full-time casual worker for the purpose of grant of temporary status with all consequential benefits and subsequent regularisation of his service.

2. The respondents in their reply affidavit have stated that the applicant is only a part-time casual labour doing duty for only 5 hours a day and hence he is not entitled under the existing scheme for being grant of temporary status.

3. We have heard learned counsel for both the parties. The question whether part-time casual labourers would be entitled to the benefit of "Casual Labourers (Grant of Temporary status and Regularisation) Scheme" dated 12.4.1991 would be ~~applicable to part-time casual labourers~~ also came up for consideration before the Full Bench of the

Copy to:-

1. The Secretary, Ministry of Communication Department of Posts, Dak Bhavan, New Delhi.
2. The Chief Post Master General, Andhra circle, Hyd.
3. The Director of Postal Services, O/O P.M.G. Andhra circle, Hyd.
4. The Sr. Supdt. of Post Offices, Hyderabad City Division, Hyd.
5. The Senior Post Master, Khairatabad, Head office, Hyd.
6. One copy to Sri. S.D.Kulkarni, advocate, CAT, Hyd.
7. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
8. One spare copy.

Rsm/-

Tribunal in O.A.912/92 and O.A.961/92. Both the said OAs were decided on 7.6.1993. Relevant extract from the judgement in the said OAs is re-produced below:-

For the reasons stated above, these applications are allowed and the respondents are directed to confer upon the applicants temporary status in Group-D posts from 2.11.1989 pending their absorption in Group-D posts in accordance with the "Casual Labour (Grant of Temporary Status and Regularisation) Scheme". The applicants however, will not be entitled to any arrears of emoluments arising out of the above said directions till the date of their filing the respective applications."

4. In view of the above, this OA is disposed of with the direction to the respondents to confer upon the applicant temporary status in Group-D post from 2.11.1989 pending his absorption in Group-D post in accordance with the "Casual Labour (Grant of temporary status and Regularisation) Scheme". The applicant, however, will not be entitled to any arrears ^{arising} of emoluments out of the above said direction till the date of his filing this present OA.

5. The OA is allowed in the above terms without any order as to costs.

T. C
(T.CHANDRASEKHARA REDDY)
Member (Judl.)

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

Dated: 28th June, 1993

(Dictated in Open Court)

sd

83000
Dy. Registrar (Jadl.)

Contd. - 4/-

O.A.1060792

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

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

AND

A-B-Go5/m
THE HON'BLE MR. R. BALASUBRAMANIAN :
MEMBER (ADMN)

AND

THE HON'BLE MR. T. CHANDRASEKHAR
REDDY : MEMBER (JUL)

DATED: 28/6/1993

ORDER/JUDGMENT

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

in

1060792

O.A.No.

T.A.NO.

(W.P.NO)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

