

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1225/93

Date of Order: 28.9.1993

BETWEEN:

1. All India Postal Employees Union
Class III and EDAs Divisional Branch
Kurnool Division Rep. by Sri N.S.Murthy
Divisional Secretary, Kurnool Division
2. All India Postal Employees Union
Class IV Postmen and EDAs Kurnool
Divisional branch Rep. by Sri Y.Prasad
Divisional Secretary, Postmen Kurnool HPO
3. T.Malleswar Reddy .. Applicants.

A N D

1. Union of India Rep. by
Post Master General, A.P.
Southern Region,
Kurnool.
2. Superintendent of Post Offices,
Kurnool.
3. Head Post Master HPO
Kurnool- 518 001.
4. Head Post Master, Adoni,
HPO 518 301. .. Respondents.

Counsel for the Applicants .. Mr.P.Rathaiah

Counsel for the Respondents .. Mr.N.R.Devraj

CORAM:

HON'BLE Mr. JUSTICE V.NEELADRI RAO : VICE-CHAIRMAN

HON'BLE SHRI P.T.THIRUVENGADAM : MEMBER (ADMN.)

(16)

OA.1225/93

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri P. Rathaiah, learned counsel for the applicants and Sri N.R. Devaraj, learned counsel for the respondents.

2. The case of the applicants is that they had demonstrated during lunch hours and after office hours from 17-5-1993 to 22-5-1993 to protest against assault on some Postal staff while on duty by some outsiders at Velgode Post Office, and then S.P.O. had given assurances by letter to the two unions who are applicants herein that there will be no victimisation including ~~deis~~-non and thereby he sought the co-operation of the unions. The further case of the applicants is that inspite of the said assurances, show-cause-notices are issued to all concerned Postal staff of Kurnool Division, as to why the days from 17-5-1993 to 22-5-1993 should not be treated as ~~deis~~-non and then the concerned staff submitted their replies and thereafter order dated 20-9-93 ^{was} ~~was~~ passed by the SPO vide letter No.INV/Misc/P-1/93 ^{dated} to the Kurnool Head Office and Adoni Head Office directing recovery of pay for those days from the pay bill of September, 1993.

3. This OA was filed praying for setting aside the order dated 20-9-1993 of the SPO, Kurnool Division and to inquire into the matter giving reasonable opportunity to the applicants' Union members who are the staff of the Kurnool Division, before embarking upon any recovery of wages.

22/9/93

4. After hearing the learned counsel for the applicants and the learned standing counsel for the respondents, we feel that it is just to pass the following order :

The individual employees are free to make representations as against orders dated 20-9-93 passed by the SPO, Kurnool Division to PMG, Kurnool, and if such representations are going to be filed before the PMG, Kurnool, by 29-10-93 (If handedover in person, the necessary acknowledgement had to be obtained in regard to the same; otherwise the same had to be sent by Registered Post Acknowledgement due so as to reach the PMG, Kurnool, by 29-10-93), they are to be considered in accordance with law.)

The recovery in regard to such of those employees whose representations are received in the office of PMG by 29-10-93, had to be deferred till the disposal of those representations. It is needless to say that in regard to such of those employees who had neither made the representations nor whose representations were received in the office of PMG, Kurnool, by 29-10-93, the recovery can be effected from pay bill of November, 1993.

5. The OA is ordered accordingly at the admission stage. No costs.

P. J. Thiruvenkadam
(P.T. Thiruvenkadam)
Member (Admn)

V. Neeladri Rao
(V. Neeladri Rao)
Vice Chairman

Dated : September 28, 93

Dictated in the Open Court

Deputy Registrar (J)

To
sk Kurnool-1.
2. The Superintendent of Post Offices, Kurnool-1.
3. The Head Post Master HPO, Kurnool-1.
4. The Head Postmaster, Adoni, HPO-518 301.
5. One copy to Mr.P.Rathaiah, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, Sr.OGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

30-9-93
14/9/93 pvm