

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 1313/93

Dt. of Decision : 7.4.1994

1. Mohd. Shabbir Miya
2. M. Ravi Kumar
3. S. Syed Khasim
4. K. Prakash Chary
5. K. Jitendranath
6. K.A. Ramesh
7. S. Ravinder
8. R. Narender

.. Applicants.

Vs

1. Senior Superintendent,
Railway Mail Service,
Sorting Division, Abids,
Hyderabad.

2. Director of Postal Services,
City Region, Abids,
Hyderabad.

.. Respondents.

Counsel for the Applicants : Mr. S.Ramakrishna Rao

Counsel for the Respondents : Mr. N.V. Raghava Reddy,
Addl. CGSC.

CORAM:

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

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

DA 1313/93.

Dt. of Order: 7-4-94.

(Order of the Divn. Bench passed by
Hon'ble Shri A.B.Gorthi, Member (A)).

* * *

The applicants initially joined the Hyderabad
Sorting Division as Casual Labourers some time during
1978^{but}/subsequently were appointed as E.D. Mail Men in the
vacancies which came up. Their claim in this application
is for a direction to the Respondents to confer temporary
status upon them with effect from 29-11-89 in accordance
with the Casual Labourers (Grant of Temporary Status and
Regularisation) Scheme.

2. The Respondents in their reply affidavit clarified that the applicants who initially joined as Casual Labourers were working as ED Mail Man since 1981. A seniority list was prepared in 1989 and these applicants appeared for a Literacy Test for the purpose of qualifying for appointment as Group-D employees in the vacancies which arose during 1983-1990. They did not qualify in the Literacy Test and ^{← Could not} ~~cannot~~ therefore be appointed to Group-D posts. Subsequently the Director General, Posts vide communication dt. 28-8-90 dispensed with the holding of Literacy Test to ED Agents for recruitment to Group-D posts with effect from 1-1-91. Consequently appointment to Group-D posts from amongst the ED Agents is now

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....3.

P. J.

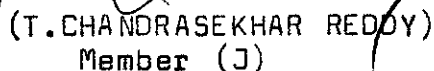
strictly in accordance with the seniority of the ED Agents. The contention of the respondents is that the applicants herein are not senior enough to be

3. Shri S.Ramakrishna Rao, learned counsel for the applicants urged that as the applicants joined as Casual Labourers in 1978 they would be entitled to grant of temporary status in terms of the Casual Scheme. The said scheme, as the very title itself indicates, applies only to casual labourers in employment as on 29-11-89 and provides for conferment of temporary status upon them provided they were in continuous engagement for 240 days or more in a year as has been categorically stated by the respondents in the counter affidavit. The applicants ceased to be casual labourers long ago and they are presently working as ED Agents. It was only in that capacity that they appear^{ed} for Literacy Test for regular appointment against the Group-D posts in the Postal Department.

4. We ~~also~~ do not see any reason or justification for granting temporary status to those employees who are more or less in the nature of regularly

employed ED Agents. They will have to wait for their turn in accordance with their seniority for being con-

5. In view of our above observations there is hardly any merit in this application and the same is hereby dismissed. No order as to costs.


(T. CHANDRASEKHAR REDDY)
Member (J)


(A.B. GORTHI)
Member (A)

Dt. 7th April, 1994.
Dictated in Open Court.

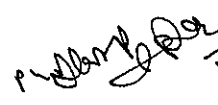
avl/


Deputy Registrar (Judl.)

Copy to:-

1. Senior Superintendent, Railway Mail Service, Sorting Division, Abids, Hyd.
2. Director of Postal Services, City Region, Abids, Hyd.
3. One copy to Sri. S. Ramakrishna Rao, advocate, CAT, Hyd.
4. One copy to Sri. N.V. Raghava Reddy, Addl. CGSC, CAT, Hyd.
5. One copy to ~~8888~~ Library, CAT, Hyd.
6. One spare copy.

Rsm/-


19/4/94

O.A. 1313/93

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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. GORTHY : MEMBER (AD)

AND

THE HON'BLE MR. T. C. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : M (ADMN)

Dated: 7/4/1994

ORDER/JUDGMENT

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

~~in~~

O.A.No.

1313/93

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

