

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1507/93

DATE OF ORDER : 04-12-1996.

Between :-

Jogi Madhava Rao

... Applicant

And

1. The Supdt. of Post Offices,
Machilipatnam Division,
Machilipatnam.
2. Head Postmaster,
Machilipatnam Head Office.

... Respondents

Counsel for the Applicant : Shri S.O.Kulakarni

Counsel for the Respondents : Shri V.Bhimanna, CGSC

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CORAM:

THE HON'BLE COURT OF APPEAL
THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)
..... for him was Shri Rangarajan, Member (M)).

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None for the applicant. Shri V.Bhimanna for the Respondents. The facts of this case are as follows :-

The applicant was initially engaged as a part-time Casual Labourer on 31-5-80 with 3 hours work per day. His work per day ~

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1-8-82. The service of the applicant was dispensed with effect from 17-10-86. He was later re-engaged with effect from 14-3-87 on 5 hours work per day. It was further increased to 6 hours per day with effect from 14-6-93 in normal seasons and 7 hours per day in Summer Season. As per the above position the applicant was a part time casual labourer.

2. ^A The scheme was formulated termed as "Casual Labourers (Grant of Temporary Status & Regularisation) Scheme" dt. 12-4-91.

^{for regularization}
in that scheme as he has rendered continuous service of ^{at} least one year and during that period he had put in a service on 240 days. He further relied on the judgement of the Full Bench of this Tribunal in OA 912/92 and OA 916/92 decided on 7-6-93 to state that he has fulfilled the eligibility condition as per the Full Bench Judgement.

3. This O.A. is filed praying for a direction to the respondents to treat him as full time casual worker for the purpose of grant of temporary status in Group-D post with all consequential benefits of HRA, CCA, Bonus etc., with effect from 29-11-89

"Casual Labourer (Grant of Temporary Status and Regularisation)"

4. The main condition in the scheme is in regard to fulfillment of period of service. The applicant submits that he fulfills the eligibility of service condition of having put in the required number of days of service in view of the Full Bench

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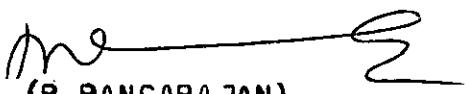
Judgement referred to, but it is stated in the reply that the Full Bench Judgement referred to above has been stayed by the Supreme Court. No final orders have been given in the SLP filed against the Full Bench Judgement. In view of the position no direction could be given in this case till the Supreme Court disposes of the SLP filed in OA 912/92 and OA 916/92. The applicant is entitled to file a representation in regard to grant of temporary status to him as per the scheme after the disposal of the SLP referred to above.

5. In view of the above the OA is disposed of with no direction, but the applicant is entitled to file suitable representation, ^(to the respondent) to consider his case for grant of temporary status in-

filed against Full Bench Judgement in OA 912/92 and OA 916/92 on the file of this bench.

6. The O.A. is ordered accordingly. No order as to costs.


(B.S. JAI PARAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

Dated: 4th December, 1996.
Dictated in Open Court.

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D.R. (J)

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Typed By
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Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)
The Hon'ble shr. B.S. Jai Parameshwari
M(D)

DATED: 11/12/96

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

in
O.A. NO. 1502/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS.
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT

केन्द्रीय प्रशासनिक अधिकार
Central Administrative Tribunal
DESPATCH

18 DEC 1996

हैदराबाद न्यायालय
HYDERABAD BENCH