

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

R.A.NO.74 of 1998

DATE OF DECISION: 16/9/99

V.RAVI KRISHNA

..APPLICANT

N.SAIDA RAO

ADVOCATE FOR APPLICANT

VERSUS

..... Hyderabad & Others
V.BHIMANNA

RESPONDENTS

THE HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

1. Whether their Lordships may be allowed to see the Judgment? - may be

2. If so when? - if not?

3. Whether their Lordships wish to see the Judgment?

4. Whether the Judgement is to be circulated to the other Benches.

JUDGMENT DELIVERED BY HON'BLE SRI R.RANGARAJAN, MEMBER (A)

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HRS.JP

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

REVIEW APPLICATION NO.74 of 1998
IN
ORIGINAL APPLICATION NO.675 of 1994

DATE OF JUDGMENT: 16th SEPTEMBER, 1999

BETWEEN:

1. V.RAVI KRISHNA,
2. P.NAGALAXMI,
3. P.NIRMALA,
4. ELIZEBETH CHRISTIEN,
5. A.NAGARJUNA RAO,
7. B.MURALI KRISHNA MURTHY,
8. C.KARUNYA,
9. T.RAGHAVENDER,
10. G.KONDAIAH,
12. G.RAMANA REDDY,
13. G.LAXMI PRASANNA,
14. K.UMA DEVI,
16. K.DMA DEVI, ~~MADEVI~~
17. M.JAGATH KUMAR,
18. P.CHANDRA SEKHAR RAO,
19. P.VADAGIPATI.....
21. I.SAI BABU,
22. V.SRINIVAS,
23. M.NAJIBUR RAHMAN,
24. D.RANGA SAI,
26. P.RAMANARASINGA RAO,
27. K.LEELAVATHI KULKARNI,
28. Y.KOTESWARA RAO,
29. L.K.SANDHYA,
30. RAMACHANDER KULKARNI,

AND

Hyderabad City Division, Hyderabad,

2. The Post Master General,
Andhra Circle, Hyderabad-1,
CGO Complex,
New Delhi-1.

.. RESPONDENTS

COUNSEL FOR THE APPLICANTS: Mr.N.SAJIDA RAO

COUNSEL FOR THE RESPONDENTS: Mr.V.BHIMANNA, Addl.CGSC

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CORAM:

HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

(PER HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.N.Saida Rao, learned counsel for the applicants and Mr.V.Bhimanna, learned standing counsel for the respondents.

2. This A.M. on O.A. No.675/94 praying to review the judgment in O.A.No.675/94 dated 17.11.95 (Page 9 to the OA).

3. The learned counsel for the respondents who were appointed as SDPA/Reserved Trained Pool Assistants in the respondents-organisation on various dates during 1981 to 1983. They were regularised as Postal Assistants from 1987 onwards on various dates till 1989.

4. That O.A. (No.675/94) was filed for a direction to the respondents herein to implement the orders vide Memoranda No.BII/SDC/Rectt, dt. 13.7.87, No.BII/SDC/Rectt/ 1987, No.BII/Rectt/RTP/PA/V/88, dt.20.12.88, No.BII/Rectt/RTP/PA/V/88, dt.30.12.88, No.BII/Rectt/RTP/V/89, dt.30.5.89, No.BII/Rectt/RTP/V/89, dt.4.8.89 and Memo.No.BII/Rectt/RTP/PAs/VO/90, dt.30.5.90 with effect from the date of their initial appointment from the year 1981 onwards with all consequential benefits i.e., counting of service, revision of pay, promotion and other

service benefits in the post of Postal Assistants.

5. That OA (NO.675/94) was disposed of by the following direction:-

If ultimately SLP NO.8193/93 in C.C.No.20847/93 filed in the Apex Court against the judgement of batch case O.A.No.814/90 and batch are going to be dismissed, the applicants herein also have to be given the same benefit of temporary status and consequential benefits thereon that were granted to applicants in OA 814/90 and batch case

(23) ATC 822. But if the said S.L.P. are going to be allowed, this O.A stands dismissed. If any modified order is going to be passed by the Apex Court, the applicants herein are also entitled to the benefits granted by the modified judgment of the Apex Court".

6. Later, the applicants filed R.A.No.43/97 in that OA (NO.675/94). That R.A. was dismissed but liberty was given to the applicants therein to file review application, if so advised, after the SLP No.8193/93 in C.C.No.20847/93 filed in the Apex Court against the judgment of the batch case in OA 814/90 and batch, is disposed of.

7. In view of the above direction, this R.A. is filed. The prayer in this R.A. is that the prayer in OA

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675/94 is to be granted in view of the fact that the SLP filed in the Supreme Court has no relation to the present case.

8. The applicants have filed additional documents in this R.A. on 9.12.98 enclosing C.A.No.80-123/96 and also some other judgments of the Ernakulam Bench, Jabalpur Bench and also the Supreme Court judgment (Annexures A-1, A-2, A4 and A-5).

9. A reply has been filed in this R.A. that the judgement of the Ernakulam Bench and other benches have been set-aside by the Hon'ble Supreme Court in their judgement dated 1.8.97 in C.A.No.80-127/96 with the observation that the RTPs have their own scheme and that scheme has to be followed.

10. The judgment of the Jabalpur Bench, the judgment to the Ernakulam Bench and the various judgments of the Apex Court including that of the judgment in Union of India v. K.N.Sivadas have been examined elaborately by this Bench in OA Nos.682/97, 94/98, 380/98, 381/98 and 382/98, which were disposed of by a common judgement on 5.1.99, wherein the prayer is also the same as that of the prayer in the OA 675/94. The service conditions of regularising the RTPs/SDPAs have also been considered in that OA. It was held that regularisation of the applicants in those OAs as effected by the respondents, is in order and hence those

11. As stated earlier, this R.A. is filed for the

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squarely covers the judgement in OA 675/94 also and hence no relief can be granted to the applicants herein in OA 675/94 and hence the OA (No.675/94) is liable only to be dismissed. As that OA is dismissed, the present RA is also to be dismissed for the same reasons.

12. The R.A. is accordingly dismissed. No order as to costs.

B.S.JAI PARAMESHWAR
(B.S.JAI PARAMESHWAR)
MEMBER (JUDG.)

R.RANGARAJAN
(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 16th SEPTEMBER

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