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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 241/94.

Dt. of Order:29-3-94.

- | | |
|----------------------------|---------------------------------|
| 1. S.Chandrakala | 20.A.Shantamma |
| 2. Mansoor Bee | 21.M.Veeramma |
| 3. R.Bhadramma | 22.Kamala |
| 4. Hussain Bee | 23.Kilari |
| 5. Noorjahan | 24.K.Eddamma,Miryalaguda, HO |
| 6. Hameeda Bee | 25.B.Saidamma |
| 7. Laxmi | 26.M.Kashamma |
| 8. D.Ramulamma | 27.J.Somamma |
| 9. Pitchamma, I.E.Suryapet | 28.E.Gauramma |
| 10.N.Ramulamma | 29.D.Shantamma |
| 11.B.Yellamma | 30.Parvathamma |
| 12.M.Rajamma | 31.P.Narasimha |
| 13.Ch.Ramulamma | 32.Ch.Akkamma |
| 14.Pitchamma , Wallala | 33.K.Eddamma, Miryalaguda Bazar |
| 15.K.Mallaiah | 34.Shaik Saidulu |
| 16.V.Gauravamma | 35.Bejan Bee |
| 17.A.Narsamma | 36.R.Valji |
| 18.D.Kotamma | 37.Sripal Singh |
| 19.Badi Bee | |

.....Applicants

Vs.

1. The Supdt., of Post Offices,
Suryapet, Division, District Nalgonda.
2. Postmaster General, Hyderabad
Region, Hyderabad.
3. The Chief Postmaster General,
AP Circle, Hyderabad.

.....Respondents

Counsel for the Applicants : Shri S.Ramakrishna Rao

Counsel for the Respondents : Shri N.R.Devraj, Sr.CGSC

CORAM:

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

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

OA.241/94

Judgement

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

Heard Sri S. Rama Krishna Rao, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. Amendment is carried out in the OA.

3. The amended prayer in this OA is as under :

"It is respectfully prayed that this Honourable Tribunal may be pleased to quash the order of the 1st Respondent in Memo No.A1/37/Dlgs/93 dated 27-10-1993 ordering recovery from the wages of the applicants for the wages paid for weekly offs and holidays and be pleased to order stay of recovery duly maintaining status-quo with regard to the amount of their wages as they stood on 30-9-1993 and pass such other and further order or orders as the Hon. Tribunal may deem fit and proper in the circumstances of the case."

4. The applicants are part-time Casual Labours. We held in OA.98/91 that the part-time Casual labours are not entitled to the benefit of paid weekly offs. We also held therein that the amounts paid towards paid weekly off till 31-12-1990 should not be recovered as the payment upto that ^{date} were made on the basis of the clarification given by the Chief Post-master General and as the concerned employees are low paid employees and they had come from lower economic and social strata.

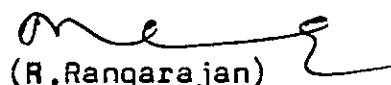
5. For the reasons stated therein we direct the respondents not to recover any amount paid towards paid weekly offs for the period ending 31-12-1990.

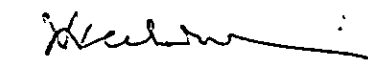
(26)

6. It is also urged for the applicants that they actually worked on the weekly off days and hence they were paid wages. But the said ^{allegation} ~~thing~~ was denied for the respondents. So in the circumstances it is just and proper to pass the following order :

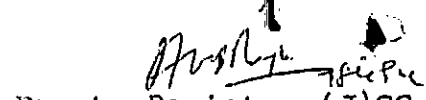
It is hereby declared that the applicants are entitled to the wages ~~for the weekly offs.~~ for such of the weekly off days on which they actually worked, and the respondents are free to recover the amount in regard to the amounts paid for the weekly off days on and from 1-1-1991 on the days on which they had not worked. In pursuance of this order each ~~of the~~ Head of the Unit in which the respective applicants are working has to verify from the records as to whether the concerned applicant worked on any of the weekly off days and inform the concerned applicant about the same before recovery if any in pursuance of this order, is effected. If any of the applicants is aggrieved with the order to be passed by the Head of the Unit in pursuance of this order, ^{he} is free to move this Tribunal by way of MA ~~if necessary~~.

7. The OA is ordered accordingly. No costs.


(R. Rangarajan)
Member (Admn)


(V. Neeladri Rao)
Vice Chairman

Dated : March 29, 94
Dictated in the Open Court

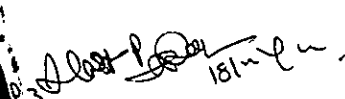

Deputy Registrar (J) CC

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To

1. The Superintendent of Post Offices, Suryapet Division, Nalgonda Division.
2. The Postmaster General, Hyderabad Region, Hyderabad.
3. The Chief Postmaster General, A.P. Circle, Hyderabad.
4. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT. Hyd.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm


18/4/94

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COMPARED BY

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APPROVED BY

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. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

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

Dated: 29-3 -1994

ORDER/JUDGMENT

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

in

O.A.No. 241/94.

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

