

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

\*\*\*

O.A. 63/94.

Dt. of Decision : 19-3-97.

S.Sankar Sastry

.. Applicant.

Vs

1. The Supdt., of Post Offices,  
Division-531 202.
2. The Postmaster General,  
A.P. Northern Region,  
Visakhapatnam.
3. The Director General,  
Dept. of Posts, Dak Bhavan,  
Sansad Marg, New Delhi-1.

.. Respondents.

Counsel for the applicant : Mr. Krishna Devan

Counsel for the respondents : Mr.N.E.Devaraj, Sr.CGSC.

CORAM:

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

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

R

D

ORDER

ORAL ORDER(PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr.Krishna Devan, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondent

2. The facts of this case as admitted by the respondents are as follows:-

The applicant worked as RTPPA w.e.f., 5/83 to w.e.f., 17-10-83 vide letter No.B4/1 dated 14-10-83 (Annexure-I) His services were terminated when the applicant was drawing a basic pay of Rs.268/- in the time scale of Rs.260-480/-. The applicant was further engaged as RTPPA during the period from 17-7-85 to 22-7-87 when he was appointed PA on regular basis w.e.f., 23-7-87 in leave vacancy on hourly rate basis. The applicant in this OA requests ~~for~~ that the period he worked as RTPPA during the period from 17-7-85 to 22-7-87 ~~and~~ also be taken into account not only for the purpose of granting him increment but also for the purpose of granting him seniority in the cadre of Postal Assistant in the grade of Rs.950-1500/- and this period may also be treated as qualifying service for purpose of final settlement dues when he retired.

3. The applicant in this connection has submitted a representation to R-1. But the same was rejected by the letter No.ST/13-III/SB dated 9-1-91 (Annexure-5 to the OA). He further represented his case to R-3 by his representation dated 1-6-92 (Annexure-6 to the OA) in this connection. It is stated that no reply has been <sup>received</sup> ~~issued~~ to that representation.

R

A

-3-

4. This OA is filed praying for a declaration that the applicant is entitled for regularisation of service from 17-10-83 by condoning the break in service from 17-7-85 to 21-7-87 and also to the payment of difference of wages as the applicant was entitled for the payment of full wages including on Holidays and Sundays during the said period.

5. From the reply it is seen that the services of the of post, <sup>where</sup> and <sup>during</sup> the period from 17-7-85 to 21-7-87 he was employed as a RTPPA. That period had been taken into account for the purpose of increment. But the period which he worked as RTPPA will not count for qualifying service or for the purpose of ~~giving~~ giving him seniority in accordance with the rules. They also included an annexure showing the number of days of service he worked as RTPPA.

respondents it is not very clear whether the applicant was appointed regularly as PA in the year 1983 after he served for a short period as RTPPA earlier to that. Further the rule in this connection has to be seen <sup>as to</sup> whether the period when he ~~was~~ worked as RTPPA from 1985 to 1987 <sup>would</sup> ~~will~~ give him the benefit of seniority as well as for <sup>or</sup> treatment ~~for~~ the period as qualifying service. We are of the opinion <sup>that</sup> this needs consideration at the departmental level before agitating in this forum. It is stated for the applicant that he had filed a representation to R-3 dated 1-6-92. But the respondents'

..4

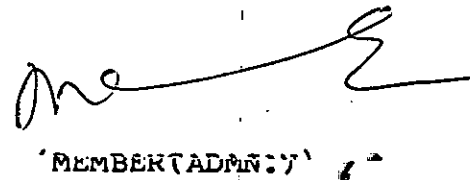
28

counsel submits that such a representation is not received.  
to  
In view of the above it is for the applicant now/submit a  
detailed representation incorporating his case fully within  
a period of 30 days from the date of receipt of a copy of this  
judgement. If such a representation is received within the  
stipulated ~~xx~~ period, the same should be disposed of  
that period should not exceed more than three months.

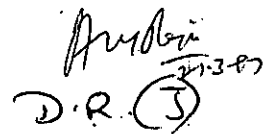
7. With the above observation the OA is disposed of.  
No costs.

  
MEMBER (JUDL.)  
19/3/97

Dated : The 19th March 1997.  
(Dictated in the Open Court)

  
'MEMBER (ADMIN.)'

spr

  
D.R. (3)

308  
23/4/97  
(7)

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:  
M(J)

DATED:

19/3/97

ORDER/JUDGEMENT

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

O.A.NO. 63/84 in

ADMITTED AND INTERIM DIRECTIONS ISSUED.  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

