

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 671/95

Date of Order : 18.3.98

BETWEEN :

1. All India R.M.S. Employees Union
Class III, Hyderabad Sorting
Divisional Branch, Rep. by its
President G.Janardhan.

2. G.Janardhan .. Applicants.

AND

1. Chief Post Master General,
A.P.Circle, Hyderabad.

2. Director of Postal Services,
D/o Chief Post Master General,
A.P.Circle, Hyderabad.

3. Senior Superintendent R.M.S.
Hyderabad Sorting Division,
Hyderabad. .. Respondents.

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Counsel for the Applicants .. Mr.B.S.A.Satyamayayana

Counsel for the Respondents .. Mr.V.Rajeswara Rao

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CORAM:

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

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

O R D E R

(As per Hon'ble Shri B.S.Jai Parameshwar, Member(J))

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Mr.B.S.A.Satyamayayana, learned counsel for the
applicants and Mr.V.Rajeswara Rao, learned standing counsel
for the respondents.

2. There are two applicants in this OA. First applicant
is the All India Employees Union, Class III Hyderabad Sorting
Divisional Branch, represented by its President and the second
applicant is HSG II Sorting Assistant, R.M.S. Hyderabad Sorting
Division, Hyderabad.

(39)

3. It is stated that the Sorting Office at Secunderabad was situated in an old building belonging to a private person and that the surroundings of the building was not ^{ducive} convenient to work to the employees ⁱⁿ of the building. In that ^{building} ^{context} the employees of the sorting staff went on agitation on 15.5.95 and 16.5.95. It is submitted that the higher authorities also had inspected the said building and satisfied with the grievance of the staff working in the said building. However, the Senior Superintendent of Post Offices, RMS, by his letter dated 18.5.95 submitted a list of employees ^{had} absented from work on 15.5.95 and 16.5.95 and further stated that the wages payable for them for these days should not be paid.

4. The applicants have filed this OA for the following reliefs :-

- (a) call for the records and after perusal;
- (b) declare that the impugned order was issued by R-2 at the instance of R-3, ^{is} in violation of Principles of natural justice and therefore void and illegal;
- (c) declare that R-2 and R-3 were primarily responsible for the agitation that took place on 15.5.95 and 16.5.95. ^{It} was only due to the lethargy of the respondents by procrastinating the settlement with the owner;
- (d) consequently, set aside the impugned order issued by R-3 vide memo No. SSRM/Cen/Strike/1/95 dated 18.5.95, with a direction to the respondents to give the applicants a reasonable opportunity.

5. This Tribunal cannot decide as to whether the building in which the Sorting Office was housed was conducive to work to by the employees. It is stated that they have recently vacated the said building.

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6. The reasons for the staff absenting from duty on 15.5.95 and 16.5.95 has to be decided by the C.P.M.G. impartially and without having any bias.

7. It is only after the CPMG takes a decision as to the justification or otherwise of the staff absenting themselves from the duty on 15.5.95 and 16.5.95, they ^{have} ~~are~~ to consider the question of payment of wages for them.

8. The CPMG should hear the views of the recognised union representatives before deciding the issue considering the material submitted to him by the union representatives.

9. The CPMG shall take a decision within 2 months from the date of receipt of a copy of this order.

10. With the above direction the OA is disposed of.
No costs.


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

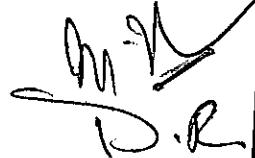
18.3.98

Dated : 18th March, 1998

(Dictated in Open Court)


(R.RANGARAJAN)
Member (Admn.)

sd


D.R.

DA.671/95

Copy to :-

1. The Chief Post Master General, A.P.Circle, Hyderabad.
2. The Director of Postal Services, D/o Chief Post Master General, A.P.Circle, Hyderabad.
3. The Senior Superintendent R.M.S. Hyderabad Sorting Division, Hyd.
4. One copy to BSA.Satyanarayana, Advocate, CAT., Hyd.
5. One copy to V.Rajeswara Rao, Addl.CGSC., CAT., Hyd.
6. One copy to BSJP (J), CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One duplicate copy.

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. BURANGARAJAN : M(A)

AND

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

DATED: 18/3/98

ORDER/JUDGMENT

M.A./R.H./C.H.-NB.

in
D.A. NO. 671/98

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

