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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 711/95.

Dt.of Decision : 17-11-95

1. D.Veerabhadra Rao
2. Ch.Janakiram
3. T.Amrutalal
4. M.Sitaramaiah
5. Y.L.Prasad
6. Ch.S.S.Venkateswara Rao
7. Y.Satyanarayana
8. M.Suryanarayana
9. P.Brahmananda Rao
10. N.Shyam Prasad
11. I.Satyanarayana
12. S.V.N.S.Sairam
13. S.Satyanarayana
14. M.Kurma Rao
15. K.Bala Prasad
16. Pinni Veera Venkata Subba Rao.

.. Applicants.

VS

1. The Supdt., of Post Offices,
Kakinada Division, Kakinada, E.G.Dist.
2. The Superintendent, R.M.S.
Visakhapatnam.
3. The Sr.Supdt., of Post Offices,
Bhimavaram Division, W.G.District,
Bhimavaram.
4. The Postmaster General, Visakhapatnam.
5. The Postmaster General, Vijayawada.
6. The Chief Postmaster General, AP.,
Hyderabad.
7. The Director General (Postal)
CGO Complex, New Delhi-3.

.. Respondents.

Counsel for the Applicants : Mr. N. Saida Rao

Counsel for the Respondents : Mr. N.V.Ramana, Addl.CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN
THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

O.A.No.711/95.

Dt. of decision: 17-11-1995

JUDGEMENT

I As per Hon'ble Sri R. Rangarajan, Member (A) I

Heard Sri N. Saida Rao, learned counsel for the applicants and Sri N.V. Ramana, learned standing counsel for the respondents.

2. There are 16 applicants in this O.A. who were appointed as Reserved Trained Pool Assistants in the respondents organisation on various dates during the years 1982-83. They were continued as R.T.P Postal Assistants till the date of their regularisation at various dates during the years 1987 and 1988.

3. This O.A. is 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/RTP/PAs, dt.26-8-87, 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.4-8-1989, and Memo.No.BII/Rectt/RTP/PAs/VI/90, dt.30-5-90 with retrospective date of their initial appointment from the year 1982 onwards with all consequential benefits i.e. counting of service, revision of pay, promotion and other service benefits in the post of Postal Assistants.

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4. The learned counsel for the respondents has brought to our notice that this O.A. is squarely covered by the order in judgement in O.A.962/93, decided on 18-8-95 wherein both of us were parties to that judgement. In that O.A. also the applicants therein prayed for counting of their service etc. of Short Duty Assistants/RTP Assistants for the purpose of qualifying service in the matter of seniority, annual increments, pension etc. on the basis of the judgement of Ernakulam Bench in a similar batch case, O.A.814/90 and batch reported in 1993 (23) ATC 822. But the judgement of Ernakulam Bench in the batch cases referred to above has been stayed by the Apex Court. In view of the above, the O.A. 962/93 was disposed of with a condition that the applicant in that O.A. will get the benefit of the judgement of the Ernakulam Bench referred to above, provided the Apex Court dismisses the S.L.P. No.8193/93 in C.C.20847/93 filed against the judgement of the batch cases on the file of Ernakulam Bench. We feel that a similar direction can be given in this O.A. also.

5. In view of the above, the following direction is given:-

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/ Ernakulam



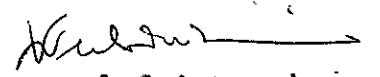
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Bench reported in 1993 (23) ATC 822. But, if the said S.L.P. are going to be allowed, this O.A. stands dismissed. If any modified order is going to be passed by the Apex Court, the applicants herein are also entitled to the benefits granted by the modified judgement of the Apex Court.

6. The O.A. is ordered accordingly. No costs. //



(R. Rangarajan)
Member (A)



(V. Neeladri Rao)
Vice Chairman

Dateed 17-11-1995
Open Court Dictation


Deputy Registrar (J)CC

kmv

To

1. The Superintendent of Post Offices, Kakinada Division, Kakinada, E.G.Dist.
2. The Superintendent, R.M.S. Visakhapatnam.
3. The Sr. Supdt. of Post Offices, Bhimavaram Division, W.G.Dist. Bhimavaram.
4. The Postmaster General, Visakhapatnam.
5. The Postmaster General, Vijayawada.
6. The Chief Postmaster General, A.P. Hyderabad.
7. One copy to Director General (Postal) CGO Complex, New Delhi-3.
8. One copy to Mr. N. Saida Rao, Advocate, CAT.Hyd.
9. One copy to Mr. N. V. Ramana, Addl. CGSC.CAT.Hyd.
10. One spare copy.

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TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRIHAN
VICE CHAIRMAN

AND

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

DATED: 17-11-1995

ORDER/JUDGMENT

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

in
O.A.No. 711/95

T.A.No. (W.P.No.)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

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Central Administrative Tribunal

DESPATCH

30 NOV 1995 NS

HYDERABAD BENCH