

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.1452/95

Date of Order : 20.6.96

BETWEEN :

1. Gaddi Malliah	9. Bandi Rajamma
2. Kodipaka Komuramma	10. Lachugaru Pochamma
3. Dubassi Narasamma	11. Kaitha Komaramma
4. R.Rajesham	12. Radandi Venkamma
5. Muthyala Anasuya	13. Badrunnisa
7. Sunchu Rajamma	14. Dharmula Laxmi
7. Domdu Pochamma	15. Rayamallu
8. Gorre Durgaiah	16. G.Srinivas.

.. Applicants.

A N D

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

2. Superintendent of Post Offices,  
Peddapalli-Divn., Peddapalli,  
Karimnagar District.

3. Post-Master, Head Post Office,  
Huzurabad, Karimnagar Dist.

.. Respondents.

Counsel for the Applicants

.. Mr. K. Vasudeva Reddy

Counsel for the Respondents

.. Mr. NV. Raghava Reddy

CORAM:

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

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J\_U\_D\_G\_E\_M\_E\_N\_T

1. Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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Mr. K. Vasudeva Reddy, learned counsel for the applicant and None for the respondents. Mr. C. Seshachary, official from the P&T Department was present.

2. Heard Sri K. Vasudeva Reddy, learned counsel for the applicant. The prayer in this OA reads as under:-

- (i) declare the action of the respondents in withholding the wages for the ~~sub~~day/holidays to the applicants as illegal, arbitrary;
- (ii) declare the action of the respondents in effecting the recovery from the wages of the applicants towards



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the alleged excess paid wages for sundays and holidays, as illegal and arbitrary;

(iii) declare that impugned proc. No. A1-3/47/95 at Peddapalli dt. 16.10.95 in so far as recovery is concerned, as bad in law;

(iv) declare that the applicants are entitled for the wages for sundays and holidays;

(v) direct the respondents not to recover any alleged excess wages towards sundays and holidays from the wages of the applicants and consequently direct the respondents to pay back the amounts already recovered from the applicants in this regard.

2. There are 16 applicants in this OA and they are Part-time Casual Labourers such as Sweepers and Gardeners. It was held in OA. 98/91 that part-time casual labourers are not entitled to the benefit of paid weekly offs. It was also held therein that the amounts paid towards weekly off till 31.12.90 should not be recovered as the payment after that date were made on the basis of the clarification given by CPMG and as the concerned employees are low paid employees and they had come from lower economic and social status.

3. For the reasons stated in that OA we direct the respondents not to recover any amounts paid towards weekly offs for the applicants herein for the period ending 31.12.90.

4. It is also urged for the applicant that they worked on weekly off days and hence they were to be paid wages but the said allegation was denied for the respondents. So, in the circumstances it is just and proper to pass the following order:-



5. It is hereby declared that the applicants are entitled to the wages for such of the weekly off days on which they actually worked and the respondents are free to recover the amount in regards to the amounts paid for the weekly off days on and from 1.1.91 on the days on which they had not worked. In pursuance of this order each 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 applicant 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.

6. The OA is ordered accordingly. No costs.

( R.RANGARAJAN )  
Member (Admn.)

Dated : 20th June, 1996

( Dictated in Open Court )

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*Avdhia*  
28/6/96  
Dn O.

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O.A.NO.1452/95

## Copy to:

1. The Chief Post Master General,  
A.P.Circle, Hyderabad.
2. The Superintendent of Post Offices,  
Peddapalli Division, Reddapalli,  
Karimnagar District, Karimnagar.
3. Postmaster, Head Post Office,  
Huzurabad, Karimnagar District.
4. Mr.K.Yasudeva Reddy, Advocate,CAT,Hyderabad.
5. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC,  
CAT, Hyderabad.
6. One copy to Library,CAT, Hyderabad.
7. One duplicate copy.

YLKR

28/7  
08/1452/95

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APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 20/6/96

ORDER/JUDGEMENT

D.A. NO./R.A/C.P. No.

in

D.A. NO. 1452/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

NO spare Copy

Central Administrative Tribunal

BESPATCH

22 JUL 1996

Hyderabad Bench  
HYDERABAD BENCH