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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

AT HYDERABAD

O.A.No.1529 OF 1995.

Date of Order:24-4-1998.

Between:

1. K.Srinivasa Rao
2. M.Padmavathi
3. S.Masood Alam
4. S.Prabhakar
5. V.Shravan Kumar
6. M.A.Khuddus
7. G.Showrilu
8. G.Sambaiah
9. J.Somi Reddy

.. Applicants

A N D

1. The Superintendent of Post Offices,
Nalgonda Division, Nalgonda.
2. The Superintendent of Post Offices,
Suryapeta, Nalgonda District.
3. The Chief Post Master General,
Andhra Circle, Hyderabad.
4. Union of India, represented by the
Secretary to the Department of Posts,
New Delhi.

.. Respondents

COUNSEL FOR THE APPLICANT :: Mr.K.Venkateshwara Rao

COUNSEL FOR THE RESPONDENTS: Mr.K.Bhaskara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

AND

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.K.Venkateshwara Rao for the Applicant
and Mr.K.Bhaskara Rao for the Respondents.

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2. The applicants numbering 9 were initially appointed as Short Duty Postal Assistants in the vacancies that may arise due to leave, deputation etc., and to meet peak hour rush of work without incurring OTA. One of the Orders issued in this connection is at Annexure A.4, Page 10 to the OA.

3. The applicants submitted a representation for regularisation as Postal Assistants in Nalgonda Division in which they are posted for regularisation from the date of their initial appointment as Short Duty Postal Assistants. The applicants rely on the Judgment of this Tribunal in O.A.No.739 of 1993 dated;22-9-1994 to ask for the above relief.

4. This O.A. is filed for a declaration that the applicants are entitled to be treated as having been regularly appointed as Postal Assistants with effect from the date on which they joined as Short Duty Clerks on completion of both theoretical and practical training on 16-11-1981 with all consequential benefits such as pay and allowances, seniority and other attendant benefits as per the Judgment in O.A.No.739 of 1993, dated: 22-9-1994 of this Tribunal.

Hon'ble -

5. Recently the^S Supreme Court had held that the S.D.RTPs cannot be given the seniority from the date of their initial appointment as S.D.RTP, (reported in 1997 (7) Supreme To-Day, UNION OF INDIA & ANOTHER Vs K.N.SIVADAS & OTHERS, DATED: 11th AUGUST, 1997). That the Judgment of the Supreme Court came much later than the Judgment in O.A.No.739 of 1993 issue decided on 22-9-1994. Hence the Supreme Court Judgment is to be considered.


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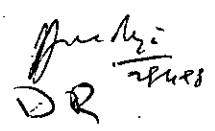
6. However, the learned Counsel for the ^{applicants} Respondents submit that it is by mistake the applicants were posted as Short Duty Postal Assistants against the vacancies and hence they should be regularised from the date of their initial appointment. As the respondents have not filed reply in this O.A., this point could not be considered. As the applicants have already submitted representation dated 15-12-1994, the respondents are directed to dispose of that representation in accordance with Law. While disposing of the representation the contents of the O.A. may also be taken note of.

7. Thus the O.A. is disposed of. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (J) 24/4/98


(R. RANGARAJAN)
MEMBER (A)

Dated: this the 24th day of April, 1998


DR

Dictated to steno in the Open Court

DSN

OA. 1529/95

Copy to:-

1. The Superintendent of Post Offices, Nalgonda Division, Nalgonda.
2. The Superintendent of Post Offices, Suryapeta, Nalgonda Dist.
3. The Chief Post Master General, Andhra Circle, Hyderabad.
4. The Secretary to the Department of Posts, New Delhi.
5. One copy to Mr. K. Venkateswara Rao, Advocate, CAT., Hyd.
6. One copy to Mr. K. Bhaskara Rao, Addl. CGSC., CAT., Hyd.
7. One copy to D.R. (A), CAT., Hyd.
8. One duplicate copy.

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19/5/98 (8)

II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

-AND-

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

DATED: 24/4/98

ORDER/JUDGMENT

M.A/R.A/C.P.NO.

in

O.A.NO. 1529/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

