

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD.

O.A.NO. 570/95

DATE OF JUDGMENT: 3.5.95

BETWEEN:

1. I.Ram Reddy
2. Abdul Rasheed .. Applicants.

A N D

1. The Superintendent of Post Offices,  
Mahabubnagar Division, Mahabubnagar.
2. Union of India, Rep. by the  
Secretary to the Department of Posts,  
New Delhi.
3. The Chief Post Master General,  
A.P.Circle, Hyderabad, .. Respondents.

COUNSEL FOR THE APPLICANT: SHRI K.V. *K. V. Subrahmanya Rao*

COUNSEL FOR THE RESPONDENTS: SHRI V.Bhimanna  
Sr./Addl.CGSC

CORAM:

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

CONTD.....

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OA No.570/1995.

Dt. of decision: 5-5-1995.

JUDGEMENT

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

Heard Sri K.V.Rao, learned counsel for the applicants and Sri V. Bheemanna, learned counsel for the respondents.

2. In this O.A. dt. 17.4.1995 filed U/s 19 of the A.T. Act, 1985 the applicants herein had joined as RTP Postal Assistants during the year 1981. The 1st applicant was regularised in March, 1988 and the 2nd applicant was regularised in October, 1987. Since then both the applicants are working as Postal Assistants under Mahbubnagar Postal Division. They pray for a declaration that they are entitled for grant of Productivity Linked Bonus at the rates applicable to the regular Postal Assistants for the period they worked as RTPs and for a further direction to pray arrears of bonus to which they are eligible.

3. The applicants herein were absorbed after they had worked as RTP/SDPAs in the respondents organisation. It is stated that they were selected after tough competition and performed their duties quantitatively and qualitatively the work as that of regular Postal Assistants whenever they were engaged intermittently against the vacancies of regular Postal Assistants. By denying them the benefit of P.L. bonus for the period they had worked as RTP/SDPAs allowed by the D.G., Department of Posts by

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by letter dt. 5.10.88, they had been subjected to hostile discrimination in violation of Art. 14 and 16 of the Constitution. Hence, this O.A. has been filed with the above prayer.

4. Sri K.V. Rao, learned counsel for the applicants has drawn our attention to the judgement of Ernakulam Bench in OA 171/89, dt. 18.6.90. The applicants therein were also similarly situated as the applicants herein. The OA 171/89 on the file of Ernakulam Bench was decided based on the decision in OA No.612/89 on the file of the same Bench. The ratio in that judgement was that no distinction can be made between an RTP worker and a Casual Labourer in granting P.L. bonus. It was further held in that OA that RTP/SDP candidates like Casual Labourers are entitled to P.L. Bonus, if they have put in 240 days of service each year ending 31st March for three years or more. It was further held in that OA that amount of P.L. Bonus would be based on their average monthly emoluments determined by dividing the total emoluments for each accounting year of eligibility by 12 and subject to other conditions prescribed from time to time.

5. Similar order was also passed by this Tribunal in OA 611/94, dt. 31.5.94, and OA 869/94, dt.27.7.94 wherein the applicants were similarly placed to that of the applicants in OA 171/89. As the applicants herein are in the same situation as applicants in OA 171/89 decided by Ernakulam Bench and in OA 611/94 and 869/94 on the file of this Bench, we see no reason in not extending the same benefit to the applicants in this OA also.

P.D.

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6. In the result, this OA is allowed with a direction to the respondents to grant the applicants the same benefit granted by Ernakulam Bench and this Bench of the Tribunal in the aforesaid cases as quoted in Para-5 above. The above direction should be complied within a period of three months from the date of communication of this order.

stage itself. No costs./

( R. Rangarajan )  
Member (A)

( V. Neeladri Rao )  
Vice Chairman

Dt. 2.5.95

Deputy Registrar (Judl.)

Copy to:-

kmv

1. The Superintendent of Post Offices, Mahabubnagar Division, Mahabubnagar,
2. The Secretary to the Department of Posts, Union of India, New Delhi.
3. The Chief Post Master General, A.P. Circle, Hyderabad
4. One copy to Sri. K. Venkateswara Rao, Advocate, CAT Hyd.
5. One copy to Sri. V. Bhimanna, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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OA-570795

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

A N D

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

DATED 31/5 1995.

ORDER/JUDGMENT: ✓

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

OA.No.

in

570795

TA.No.

(W.P.)

Admitted and Interim directions  
issued.

Allowed.

*along with OA copy*

Disposed of with directions.

Dismissed.

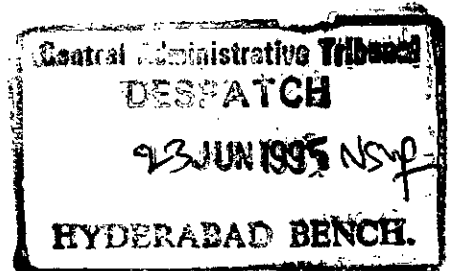
Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

*No. Spall copy*



*24/5/95 ✓*