

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.437/96

Date of Order : 13.9.96

BETWEEN :

- | | |
|----------------------|-----------------------|
| 1. Kiran Joshi | 7. S.Venkataramana |
| 2. B.Krishna Kumari | 8. K.Bhavani |
| 3. K.Malathi Devi | 9. P.S.Padmalatha |
| 4. Ch.Geetadevi | 10. S.Javeed Sultana |
| 5. N.R.L.Kumari | 11. V.Mary Vijaya |
| 6. M.S.S.Swarubamani | 12. M.V.Krishna Kumar |
| | .. Applicants. |

AND

1. The Union of India, rep. by the Secretary, Dept. of Telecom., Sanchar Bhavan, New Delhi - 110 001.
2. The Chief General Manager, Telecom, A.P.Circle, Hyderabad-1.
3. The General Manager, Hyderabad Telecom Dist., Suryalok Complex, Hyderabad-1.
4. The Senior Superintendent, Telegraph Traffic (SF MSS). C.T.O., Secunderabad.
5. The Superintendent-in-Charge, C.T.O., Secunderabad.
6. The Chief Superintendent, C.T.O., Hyderabad-1.

.. Respondents.

Counsel for the Applicants

.. Mr.TVVS.Murthy

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

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

J U D G E M E N T

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

Heard Mr.T.V.V.S.Murthy, learned counsel for the

applicants and Mr.N.R.Devraj, learned standing counsel for the respondents.

2. There are 12 applicants in this OA. All of them were appointed as Short Duty RTPs as per A-1 (Page-10). They were also regularised sometime between 1983-85 as shown in Annexure. They now pray ^{grant of} for P.L.Bonus ~~to~~ them for the period they worked as Short Duty RTPs. They have not submitted any representation. They rely on the judgement of this Tribunal in OA.611/94 to state that they are eligible to get P.L.Bonus as per the direction in the above referred OA.

3. No reply has been filed. However the learned standing counsel ~~argued~~ this case on the basis of the draft counter prepared by him as per the advise of his clients. On 3.4.96 a direction was given to the respondents to file the counter in 3 weeks indicating specifically whether the directions passed in OA.611/94 dated 31.5.94 (A-2) would be applicable to the facts of this case as well. The learned standing counsel submitted on the basis of the draft counter that as the applicant in this OA has not submitted any representation like the applicants in OA.611/94 the applicant in this OA may be asked to submit the representation. The draft counter does not indicate whether the case of the applicant in this case is covered by the judgement of this Tribunal in OA.611/94 decided on 31.5.94. Thus the respondents have not answer^{-ed} the query raised by this Bench ~~and~~ the draft counter is prepared in a roundabout way without touching the relevant issue. The learned standing counsel submitted that if the respondents have admitted that the case is covered by the directions in OA.611/94 their hands^{are tied and they} are bound in the case of the applicant herein to implement the judgement, and ~~thus~~ the applicants in this OA would get the benefit even without the orders of this Tribunal. I ~~do~~ not think this is a healthy way of argument. If there is a precedence in granting PL Bonus on the basis of

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.. 3 ..

earlier judgement and if the applicants in this OA are similarly situated like the applicant in OA.611/94 there is no harm for the respondents to admit such claims. The government should not drive the staff to the court for some technical lapses on their part. In this case the technical lapse is that they have not filed any representation to the concerned authority.

4. In view of the above, I feel that the respondents should now scrutinise the direction of this Tribunal in OA.611/94 regarding its applicability to the applicants in the present OA. To assist the respondents in this connection the applicants should submit representations individually to the respondents and if such individual representations are received, the respondents should dispose them of taking due note of the orders in OA.611/94. Time for compliance is three months from the date of receipt of individual representations from the applicants in this OA.

5. The OA is disposed of as above. No costs.


(R.RANGARAJAN)
Member (Admn.)

Dated: 13th September, 1996

(Dictated in Open Court)

sd


23.9.96.
D-R. (3)

O.A.NO.437/96

Copy to:

1. The Secretary, Dept. of Telecom,
Sanchar Bhavan, New Delhi.
2. The Chief General Manager,
Telecom, A.P.Circle,
Hyderabad.
3. The General Manager,
Hyderabad Telecom District,
Suryalok Complex,
Hyderabad.
4. The Senior Superintendent,
Telegraph Traffic (SF MSS).,
C.T.O., Secunderabad.
5. The Superintendent in Charge,
C.T.O., Secunderabad.
6. The Chief Superintendent, C.T.O.,
Hyderabad.
7. One copy to Mr.T.V.V.S.Murthy, Advocate,
CAT,Hyderabad.
8. One copy to Mr.N.R.Devraj,Sr.CGSC,
CAT,Hyderabad.
9. One copy to MrxLibrary,CAT,Hyderabad.
10. One duplicate copy.

YLKR

10/10/96
Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 13.9.96

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

in
O.A.NO. 437/96

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

