

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

..

O.A.No.725/97.

Date of decision: 23-4-1999.
- - - - -

Between:

M.V.R.Natarajan.

.. .. Applicant.

And

1.The Superintendent of Post Offices,
Tenali Division, Tenali.

2.The Chief Postmaster General,
Hyderabad.

3. The Director General,
Department of Posts, Dak Bhavan,
Sansad Marg, New Delhi -1.

Respoddents.

Counsel for the Applicant: Sri Krishna Devan.

Counsel for the Respondents: Sri B.Narasimha Sarma.

CORAM:

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

Hon'ble Sri B.S.Jai Parameshwar, Member (J)

Dr

O.A.No.725/97.

- JUDGMENT: -

(by Hon'ble Sri B.S.Jai Parameshwar, Member(J)

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Date of decision: 23-4-1999.

None for the Applicant. Heard Sri B.Narasimha
Sarma, Senior Standing counsel for the Respondents.

The applicant herein was engaged as RTP PA during
the 2nd half year, 1982. He was absorbed in 1988.

He has filed this O.A., praying for a declaration
that he is entitled to the pay and allowances as are
applicable and paid to the regular Postal Assistant for the
period he worked as RTP/Short Duty Postal Assistant from
19-7-1982 to 25.12.1988 including Sundays and holidays
and all the consequential benefits by holding that the
inaction of the respondents in acting upon the claim
submitted on 31.1.1996 and the failure of the respondent
in extending the benefit of Order of the Jabalpur Bench
in T.A.No.82/86 and O.A.736/91, Order of the Ernakulam
Bench in O.A.No.1784/92 dated 24.5.1993 of the Central
Administrative Tribunal and on the basis of the decision
of the Hon'ble Supreme Court in 1985(2)SLR 248 and for
a direction to the 2nd respondent to grant arrears of pay and
allowances out of the total amount as much as admissible to
him for the period he worked as RTP PA and to pay the
arrears within two months from the date of the order.

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The respondents have filed their reply stating that the applicant was selected as S.D.P.A., for the second half year, 1982, that when vacancies in P.A. cadre arose, he was appointed as a regular P.A., with effect from 26.12.1988 and he was paid allowances as admissible to him from time to time. They submit that the representation dated 31.1.1996 addressed to the Chief Postmaster General, Hyderabad requesting to regularise the period of service rendered as R.T.P.P.A., and to pay him arrears of pay and allowances on par with regular P.As., for the period he worked as R.T.P.P.A., quoting the judgment of the Jabalpur Bench dated 16.12.1986 in O.A.1159/85 and also the Ernakulam Bench Order dated 24.5.1993 in O.A.1784/92 of the Central Administrative Tribunal in support of his request was forwarded to the Chief Postmaster General, A.P.Circle, Hyderabad by letter No. LC/VJ/RTPAS dated 26.2.1996. They further submit that since there were stay orders issued by the Hon'ble Supreme Court his representation was not considered.

They rely on the decision of the Hon'ble Supreme Court in UNION OF INDIA AND OTHERS vs. K.N.SIVADAS & OTHERS (1997 (7)S.C.65.

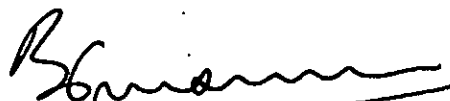
The facts and circumstances and reliefs claimed in this O.A., are similar to the facts, circumstances and reliefs in O.A.682/97 and batch decided on 31.3.1999.

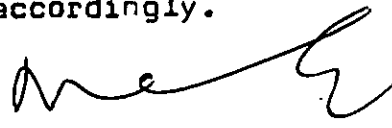
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So far his wages are concerned, the Department may consider the same as per the rules in vogue. The respondents shall dispose of the representation of the applicant in accordance with the rules within three months from the date of receipt of a copy of this order.

The G.A., is ordered accordingly.



(B.S. JAI PARAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

23.4.99

Date: 23-4-1999.

Dictated in open Court.


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Copy to:

1. HDHND
2. HHRP M(A)
3. HBSJP M(J)
4. D.R.(A)
5. SPARE

IST AND IIND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD:
MEMBER (A)

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

THE HON'BLE MR. B. S. JAI PARAMESWAR:
MEMBER (J)

DATED: 23.4.99

ORDER/JUDGEMENT

MA./CA./CP.No.

IN

C.A. No.

725/97.

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

Engli
8 (SRR) 1999

