

(25)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 729/97

Date of Order: 9.7.97

BETWEEN :

A.Jayachandra Babu

.. Applicant.

AND

1. The Supdt. of Post Offices,
Hanumakonda Division,
Hanumakonda, Warangal Dist.

2. The Post Master General,
Hyderabad Region, Abids,
Hyderabad.

.. Respondents.

* * *

Counsel for the Applicant

.. Mr. Krishna Devan

Counsel for the Respondents

.. Mr.N.V.Raghava Reddy

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CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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J U D G E M E N T

X Oral order as per Hon'ble Shri B.S.Jai Parameshwar, M(J) X

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Heard Mr.Krishna Devan, learned counsel for the applicant and Mr.N.V.Raghava Reddy, learned standing counsel for the respondents.

2. The applicant herein appeared for recruitment of Time Scale Postal Assistant, in Hanumakonda Division. He was selected as Postal Assistant during 2nd half of 1989. He underwent training and he was posted as Short Duty Postal Assistant vide memo dt. 3.10.81 by the Superintendent of Post Offices, Hanumakonda. After completion of training for 15 days from 5.10.81 to 22.10.81, and from 23.10.81 the applicant worked as Short Duty Postal Assistant. While he

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was working as such he was appointed as IDC (SBCO) Nalgonda Head Post Office, Nalgonda Division vide memo dt. 26.5.89, which carries the scale of pay of Rs. 950-1650. It is stated that the assumed charge on 5.6.89. During the period from 23.10.81 to 4.6.89 he was working as Short Duty Postal Assistant in the Postal Division of Hanumakonda Division. It is claimed that during that period he performed the duty of regular postal Assistant which involves ^d monthly transactions also, but he was paid wages for that said period. Hence he has filed this OA for a declaration that he is entitled to pay and allowances as applicable and paid to the regular Postal Assistants, for the period of working as RTP/Short Duty Postal Assistant from 23.1.81 to 4.6.89 and all the consequential benefits for holding the inaction of the respondents in not accepting the claim made on 6.2.96, as illegal.

3. When the OA was taken up for admission hearing the learned counsel for the applicant brought to our notice the ~~judg~~ judgement of the Jabalpur Bench of this Tribunal in TA.82/86 wherein the similar prayer, as ~~was~~ ^{has been} prayed for in this OA, was considered and that TA was allowed. The learned counsel for the respondents submitted that an SLP was filed against that order of Jabalpur Bench of this Tribunal and that SLP ^{also} ~~has~~ been dismissed. As can be seen from the ~~disposal~~ ^{Material papers} of this OA. ~~appeal as~~ (enclosed at Page-20 of the OA)

4. In view of the above, the OA is allowed at the admission stage itself and the applicant is eligible for grant of the same relief as was granted to the applicant in TA.82/86. Time for compliance is 4 months from the date of receipt of a copy of this order. No costs.

B.S. JAI PARAMESHWAR
Member (Judl.)

9.7.97

R. RANGARAJAN
Member (Admn.)

Dated: 9th July, 1997

(Dictated in open court)

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Avilal
D.R.(J) 1777