

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

966
OA. Sr. 2304/99

dt. 28-6-99

Between

1. Smt. Kareemabee
2. " G. Prameela
3. " A. Yakamma
4. " P. Padma
5. Sh. Shik Sarvar
6. Smt. B. Sai Malamma
7. " Meera Bai
8. " B. Yellamma
9. " Maloth Rangamma
10. " G. Latchamma
11. " G. Somamma
12. M. P. Lalaiah
13. Smt. J. Anasuya
14. " P. Kalavathi
15. " E. Balamma
16. Kum. P. Vasantha
17. Mohd. Jaffar
18. Smt. D. Manemma
19. Smt. N. Iylamma
20. " Kanakamma
21. " P. Sathemma
22. " V. Saraiah

: Applicants

and

1. Union of India, rep. by
Director General, Dept. of Posts
New Delhi

2. Chief Postmaster General
AP Circle, Hyderabad

3. PMG, Hyderabad Region
Hyderabad

4. Supdt. of Postoffices
Hanamkonda Divn.
Hanamkonda 506001 AP

: Respondents

Counsel for the applicants

: Y. Appala Raju
Advocate

Counsel for the respondents

: K. Narahai, CGSC

Coram

Hon. Mr. R. Rangarajan, Member (Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member (Jd)l

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OASR.2304/99

dt.28-6-99

Order

Oral order (per Hon. Mr. R.Rangarajan, Member(Admn.))

Heard Mr. Gurupadam for Mr. Y. Appala Raju for the applicants and Mr.K. Narahari for the respondents.

1. There are 22 applicants in this OA. They are contingent Casual labourers. They pray for a declaration that the order of Respondent-1 issued under memo No. 1-3/97-PAP dated 3-11-1998 (Annex.II) giving effect to the payment of revised higher wages to the applicants from 3-11-1998 instead of from 1-1-1996 as arbitrary, illegal, discriminatory, violative of provisions contained in Articles 14, 16 and 39(d) of the Constitution of India^{and} for consequential ~~de~~claration that recovery ordered by Respondent-2 in his letter No.Est/1-60/PCC/97-98/Corr dated 26-11-98 (Annex.I) and order dated 20-4-99 issued by Respondent-4 of the alleged excess payment for the period from 1-11-97 to 3-11-98 as arbitrary, illegal and not enforceable.

2. A similar OA.681/99 was disposed of by this Tribunal on 7-6-1999. The contentions raised in that OA and the prayer are similar asⁱⁿ the present OA. That OA was disposed of relying on an earlier judgement in OA.1685/95 dated 29-4-99. In view of the above this OA is also to be disposed of on the same lines.

3. The learned standing counsel for the respondents submits that this OA could be disposed of as the case is a covered one.



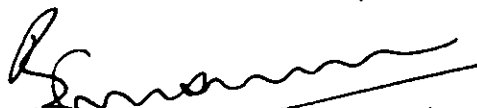

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4. In view of the above the following direction is passed :

1) The office memorandum No.1-3/97-PAP dated 3-11-98 determining the date of applicability to be 3-11-1998 as well as another office letter dated 26-11-98 directing the recoveries to be made from the wages of the present applicants are hereby quashed.

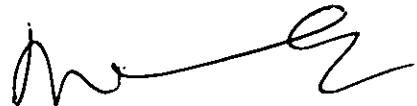
ii) The respondents are directed to give the applicants the minimum of pay scale corresponding to a regular Group-D employee in the revised pay scales on pro-rata basis with effect from 1-1-1996.

5. Thus the OA is disposed of as above at the admission stage itself. No costs.



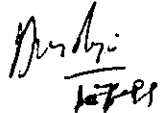
(B.S. Jai Parameshwar)
Member (Judl.)

28/6/99



(R. Rangarajan)
Member (Admn.)

Dated : June 28, 99
Dictated in Open Court



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