

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

O.A.NO.1100 OF 1999.

O.A.S.NO.2812/1999

DATE OF ORDER:23-7-1999.

BETWEEN:

1. A.Venugopal.
2. D.Narasimlu.
3. A.Rahaman.
4. A.Shekhar.
5. Pratap Singh.
6. Shaik Inayatulla.
7. (Smt.)V.Lalitha.
8. M.A.Rahaman Khan.
9. K.Shakar.
10. A.Narasaiah.
11. P.Trinath.
12. Veerender Singh.

...Applicants

and

1. UNION OF INDIA, Rep. By
The Director-General, Department of Posts,
Govt. of India, New Delhi.
2. The Chief Postmaster-General, A.P.Circle,
Hyderabad-500 001.
3. The Postmaster-General, Hyderabad Region,
Hyderabad-500 001.
4. The Superintendent, Railway Mail Service,
'Z' Division, Hyderabad-500 001. A.P.

...Respondents

COUNSEL FOR THE APPLICANTS :: Mr.Y.Appala Raju

COUNSEL FOR THE RESPONDENTS: Ms.Shyama

CORAM:

THE HONBLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HONBLE SRI R.RANGARAJAN, MEMBER(ADMN)

: O R D E R :

ORAL ORDER (PER HONBLE SRI R.RANGARAJAN, MEMBER (ADMN)

Heard Mr.Y.Appala Raju, learned Counsel for the Applicants and Ms.Shyama, learned Standing Counsel for the Respondents.



2 There are 12 applicants in this OA. They are contingent casual labourers. They pray for a declaration that the Order of Respondent No.1 issued under Memo.No. 1-3/97-PAP, dated:3-11-1998, (Annexure.II, page.18 & 19 to the OA), 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 the provisions contained in Articles 14, 16 and 39(d) of the Constitution of India, and for a consequential declaration that the recovery ordered by the Respondent No.2 in his Letter No.EST/1-60/PCC/97-98/Corr., dated:26-11-1998, (Annexure.I, page.17 to the OA), as arbitrary, illegal and not enforceable in law.

3. A similar prayer with the same contentions were advanced in OA.No.966 of 1999, which was disposed of on 28-6-1999. The present OA is also for the same relief taking the same grounds. Hence, the Order passed in OA.No.966 of 1999 is applicable in this OA also. The learned Counsel for the Respondents produced that Order in OA.No.966 of 1999 and submitted that he has no objection if similar Order is passed in this OA.

5. Hence, the following Order is passed:-

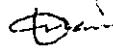
- i) The office memorandum No.1-3/97-PAP, dated:3-11-1998, determining the date of applicability to be 3-11-1998, as well as another office letter dated: 26-11-1998, directing the recoveries to be made from the wages of the present applicants are hereby quashed;
- ii) The respondents are directed to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



- 3 -

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


(R.RANGARAJAN)
MEMBER(ADMN)


(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 23rd day of July, 1999

Dictated to steno in the Open Court

DSN



1st AND 2nd COURT

COPY TO:-

- 1. HDH NJ
- 2. HHR P M (A)
- 3. HBSDP M (J)
- 4. D.R. (A)
- 5. SPRE

TYPED BY
COMPIRED 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 (ADMN)

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN)

THE HON'BLE MR. S. JAI P. PARAMESHWAR
MEMBER (JUDL)

ORDER: Date. 23/7/99

ORDER / JUDGMENT

MA. / RA. / CP. NO

IN

DA. NO. 1100 / 99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED

R.A. CLOSED.

D.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS.

3 copies

A) W O/A/99
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केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
श्रेष्ठ / DESPATCH

- 9 AUG 1999

हैदराबाद न्यायालय
HYDERABAD BENCH