

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

O.A. No. 375 OF 1999.

DATE OF ORDER: 9-9-1999.

BETWEEN:

M.Ganeshan.

...Applicant

a n d

1. Senior Superintendent of Post Offices, Hyderabad Division, Hyderabad.
2. The Senior Post Master, Khairatabad HO, Hyderabad-500 004.
3. Director of Postal Services, O/o The Post Master General, Andhra Circle, Hyderabad.
4. Director General of Postal Services, Dak Sadan, New Delhi.Respondents

COUNSEL FOR THE APPLICANT :: Mr.K.K.Chakravarthy

COUNSEL FOR THE RESPONDENTS :: Mr.V.Vinod Kumar

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

: O R D E R :

ORAL ORDER (PER HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN)

Heard the learned Counsel Mr.K.K.Chakravarthy for the Applicant as well as the learned Standing Counsel Mr.V.Vinod Kumar for the Respondents.

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2. The respondents are sought to be directed in this OA to grant arrears of allowances due to the applicant from 1-1-1996 to 30-9-1997 and to declare that the effect given to enhanced allowances from 3-11-1998 by Order dated: 12-2-1999 is illegal and void.

3. The applicant's case is that he was appointed as Part-time Mail Carrier by the Sr.Postmaster, Khairtabad Head Post Office and was continuously working in the said Department till today. He prayed for regularising his services and to post him in Group-'D' post by granting temporary status with all consequential benefits which was still pending. It is further the case of the applicant that the Government of India revised the pay scales of the employees under the Vth Pay Commission and that the said recommendations were extended to Part-time Casual Labourers also, vide Circular dated:12-2-1999. Based on that Circular the Senior Superintendent of Post Offices, Hyderabad Division, Hyderabad, ordered revision of pay scales of Part-time Casual Labourers with effect from 1-11-1997 and accordingly the applicant was paid the said allowances from October,1997, but the recommendations of the ERC were to the effect that the same should be allowed with retrospective effect from 1-1-1996. Therefore, according to the applicant, he is entitled to the allowances at the rate of Rs.500/- per month from 1-1-1996 to 30-9-1997.

4. The pleas made and the contentions raised in the present OA are similar to those as contained in OA.No.1685 of 1998 & Batch, which was decided by this Tribunal on

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29-4-1999, and therefore there can be no dispute if the present OA is also disposed of with the same direction as given in the earlier OA.No.1685 of 1998 & Batch.

5. In the above view of the matter, therefore, this OA is disposed of with the following directions:-

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- 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 No.EST/1-60/PCC/97-98/CORR, dated:26-11-1998, directing recoveries to be made from the wages of the present applicants are hereby quashed;
- ii) The respondents shall give the applicants the minimum of the pay scales corresponding to regular Group-'D' employees in the revised pay scale on pro-rata basis with effect from 1-1-1996.

6. The OA is allowed accordingly. No costs.

Dan
(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 9th day of September, 1999

Dictated in the Open Court

DSN

1ST AND 2ND COURT.

COPY TO -

- 1. HODNJO
- 2. HHRP M (A)
- 3. HESJ P M (J)
- 4. D.R. (A)
- 5. SPARE

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 (ADMN)

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

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

ORDER: Date. 9/9/99

ORDER / JUDGMENT

MA. / RA. / CP. NO
IN
DA. NO. 375/99

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.

