

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE**

ORIGINAL APPLICATION NO.170/00111/2020

DATED THIS THE 04th DAY OF MARCH, 2020

HON'BLE DR.K.B.SURESH, JUDICIAL MEMBER

HON'BLE SHRI C.V.SANKAR, ADMINISTRATIVE MEMBER

Smt.Nayana Pandit

Age: 59 years

W/o Raghavendra Pandit

Working as PA

Bangalore GPO-560001.

Residing at

No.102, G.R.Heights

80 feet Road, J.P.Nagar

8th Phase, Bangalore-560083.

....Applicant

(By Advocate Sri P.Kamalesan)

Vs.

1. Union of India
Represented by Secretary
Department of Posts
(Postal & Accounts Wing)
Dak Bhavan
New Delhi-110001.

2. Chief Post Master General
Karnataka Circle
Bangalore-560001.

3. Chief Post Master
Bangalore GPO
Bangalore-560001.

....Respondents

(By Advocate Sri Sayed S. Kazi)

O R D E R

(PER HON'BLE SHRI C.V.SANKAR, MEMBER (ADMN))

The case of the applicant is that she was selected for the post of Postal Assistant and deputed for training and after training, she was engaged as RTP at Bijapur Division vide Supdt. of Post offices, Bijapur letter dtd.18.9.1987(Annexure-A1).

She was re-allotted to Raichur Division for appointment as PA vide Supdt. of Post Offices, Bijapur letter dtd.8.2.1988(Annexure-A2). She submits that after her marriage with Raghavendra Pandit, her name Smt.Nayana Pandit was incorporated in place of her original name(Kumari Surekha B Kakhandki) in service records vide Supdt. of Post Offices, Bagalkot letter dtd.11.2.1992(Annexure-A3). She submits that there were a large number of litigations before various Tribunals, Hon'ble High Courts and Apex Court regarding counting of RTP of Postal Assistants from the date of engagement as RTP for all purposes. Many Tribunals/High Courts and Hon'ble Apex Court granted relief to the applicants. The applicant submitted representation on 11.1.2020(Annexure-A4) requesting to grant the same benefits as were granted to similarly placed Postal Assistants in MP, Kerala Circle and Telangana Circle after the orders of judicial forums. The applicant submits that Hon'ble High Court of Telangana & Andhra Pradesh vide order dtd.10.3.2017 in WP.No.17400/2016 has granted interim relief prayed by the applicants(Annexure-A5). The Dept. of Posts, SPB II Section, New Delhi vide letter dtd.21.2.2018 issued orders to CPMG, Telangana Circle, Hyderabad to implement the orders in WP.No.17400/2016(Annexure-A6) and in pursuance of which, the Supdt. of Post Offices, Hanumakonda Division vide letter dtd.20.6.2018 issued orders for counting the RTP service from their date of appointment as RTP in the PA cadre(Annexure-A7). The applicant submits that the Hon'ble High Court of Madras vide order dtd.24.7.2019 in WP.No.34944 & 33298/2016 granted relief to the petitioners as granted by various co-ordinating Benches/High Courts(Annexure-A8). This Tribunal also vide order dtd.7.1.2020 in OA.No1810/2018 granted the same relief as granted by various co-ordinating

Benches/High Courts(Annexure-A9). The applicant who is similarly placed employee is entitled for the same relief and benefits as granted by various co-ordinating Benches/High Courts. Non-extending the benefits to the applicant is discriminatory and violative of Articles 14, 15 & 16 of the Constitution. Hence, she filed the present OA seeking a direction to the respondents to count RTP service as regular service with all financial benefits and seniority and grant all further benefits as per eligibility in accordance with Hon'ble CAT, Bangalore order dtd.7.1.2020 in OA.1810/2018.

2. We have heard the Learned Counsel for the applicant and perused the OA in detail. The issue is exactly similar to the issues which have already been dealt with by the Hon'ble High Court of Telangana and Andhra Pradesh vide its orders in WP.No.17400/2016 and the Hon'ble High Court of Madras vide its orders in WP.No.34944 & 33298/2016. The same orders have been passed by us in OA.No.1810/2018 vide dtd.7.1.2020. Therefore, the OA is allowed to the same extent and the applicant is eligible for the same benefits as was ordered in the similar cases. The respondents shall issue necessary orders within a period of two(2) months from the date of this order. No costs.

(C.V.SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ps/

Annexure-A1: SPO's letter dtd.18.9.1987

Annexure-A2: SPO's Letter dtd.8.2.1988

Annexure-A3: SPO's letter dtd.11.2.1992

Annexure-A4: Representation dtd.11.1.2020

Annexure-A5: Order in WP.17400/2016 of AP& Telangana High Court

Annexure-A6: DOT, New Delhi letter dtd.21.2.2018

Annexure-A7: DOT, Hanamkonda letter dtd.20.6.2018

Annexure-A8: Order in WP.34944&33298/2016 dtd.24.7.2019

Annexure-A9: Order dtd.7.1.2010 in OA.1810/2018 of CAT, Bangalore Bench
