

**Central Administrative Tribunal
Madras Bench**

OA/310/01053/2014

Dated Monday the 29th day of February Two Thousand Sixteen

P R E S E N T
Hon'ble Mr.R.Ramanujam, Member(A)

Mrs.S.Muthu Lakshmi,
No.125/83, Bharathiyar Main Road,
K.Pudur, Madurai 625 007,
Madurai District. .. Applicant

By Advocate **M/s.C.Mohanraj**

Vs.

1. Union of India, rep by the
Director General(Posts),
Dak Bhavan, New Delhi.
2. The Postmaster General,
Southern Region,
Madurai, Tamil Nadu.
3. The Senior Superintendent of Posts,
Madurai Division,
Madurai 625 002. .. Respondents

By Advocate **Dr.G.Krishnamurthy**

ORDER
(Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

The case of the applicant is that she was recruited directly to the cadre of Postwoman w.e.f. 22.9.2005. Subsequently, she was promoted as Postal Assistant w.e.f. 20.6.2009 and presently she is continuing in the said capacity. Prior to her appointment as Postwoman, her minimum pay was fixed at Rs.5880/- with Grade Pay of Rs.2000/- on 01.1.2006 with DNI as 01.7.2006 under the CCS(RP) Rules, 2008. One Mr.T.Gopinath and also one Mr.K.Selvaganapathy who were appointed as Postman on 12.1.2006 and 13.4.2006 are junior to the applicant. However, their pay was fixed at Rs.6,460/- with GP Rs.2000/-. Some similarly placed persons approached this Tribunal and this Tribunal directed the respondents to re-fix the pay of the applicants therein at Rs.6,460/- with GP Rs.2000/-. Therefore, the applicant made a representation dated 07.5.2012 to the 3rd respondent which was rejected. Hence this OA seeking a direction to the respondents to fix the scale of pay as Rs.6464 with GP Rs.2000/- in the cadre of Postwoman w.e.f. 1.1.2006 and disburse the arrears consequent upon such refxation.

2. The respondents contest the claim stating that the the representation of the applicant was considered by the respondent and rejected as the provisions of Rule 8 of CCS (Revised Pay) Rules, 2008 were not applicable to her. No specific rules/amendments have been issued subsequently by the Government of India in respect of the employees appointed before 01.1.2006. The pay fixation of this

applicant had been done strictly in accordance with the extant rules on the subject. Though the applicant had well known about the rules on pay fixation, she has approached this Tribunal after a lapse of 5 years from the date of gazette notification.

3. When the matter is taken up for hearing today, learned counsel for the respondents submits that in similar cases this Tribunal had granted the relief sought by the applicant therein. Against the orders, the respondents have filed WP Nos.35387-35390/2013 before the Hon'ble High Court of Madras and obtained a stay thereon. The matter has, therefore, not attained finality. The present OA is fully covered by those orders. Learned counsel for the applicant agrees that the matter is pending before the Hon'ble High Court of Madras and could be finally disposed of in terms of the directions to be issued thereunder.

4. In view of this submissions made by both the counsels, I am of the view that no useful purpose will be served by keeping the matter pending in this Tribunal. I, therefore, deem it appropriate to direct the respondents to finally dispose of the claim of the applicant in terms of the judgment/order in WP Nos.35387-35390/2013 before the Hon'ble High Court of Madras as and when it is passed.

5. The respondents are accordingly directed to consider and decide on the claim of the applicant in terms of the directions to be issued by the Hon'ble High Court of Madras in WP Nos.35387-35390/2013.

6. With the above direction, the OA is disposed of. No order as to costs.