

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH AT BANGALORE

ORIGINAL APPLICATION NO.170/00538/2019

DATED THIS THE 05TH DAY OF FEBRUARY, 2020

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

Arunkumar Babu,
Age: 60 years,
S/o Late Sathyanarayana,
Working as Sub Post Master,
St. Thomas town,
Bangalore 560 084
Residing at: No. 313, 1st Cross,
Chikkanna Layout, Hennur Cross,
Kalyananagar P.O Bangalore 560 043

...Applicant

(By Advocate Shri P. Kamalesan)

Vs.

1. Union of India,
Represented by Secretary,
Department of Post,
Dak Bhavan,
New Delhi 110 001

2. Chief Post Master General,
Karnataka Circle,
Bangalore 560 001

3. Post Master General,
Bangalore Region,
Bangalore 560 001

4. Senior Superintendent of Post Offices,
Bengaluru East Division,
Bengaluru 560 025

5. Senior Accounts Officer (OAD)
P&T, Audit office,
Basava Bhavan,
Bangalore 560 001

...Respondents

(By Shri H.R. Sreedhara, Counsel for the Respondents)

ORDER (ORAL)

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

In this case vide Annexure-A5 the office of the PMG, Bangalore Region, Bangalore has informed that the applicant was asked to officiate as Postmaster in the vacant post and he does not belong to the Grade-I Postmaster cadre. The above post was vacant since 2014 and the unfilled vacancies are assigned from TBOP/BCR or other senior PAs as a contingency measure. The temporary officiating arrangements were made to the extreme service contingencies due to non filling up of the vacancies by the Circle Office. The office of the PMG further says that as tenure of officiating arrangement is of temporary nature and subject to termination at any point of time, therefore, the allotment of post attached quarters cannot be made. It is clear that the allotment of the attached quarters to the applicant was never made and therefore the reasoning issued stating that he should not have been given HRA is clearly not acceptable. The OA is allowed. No recovery should be made from the applicant and any recovery already made should be re-credited to him within a period of two months from the date of this order. No order as to costs.

(C.V. SANKAR)
MEMBER (A)

/ksk/

Annexures referred to by the applicant in OA No.170/00538/2019

Annexure A1 : Copy of the audit objection

Annexure A2 : Copy of the pay slip for the month of June, 2018

Annexure A3 : Copy of the representation of the applicant dated 12.07.2018

Annexure A4 : Copy of the representation of the applicant dated 13.12.2018

Annexure A5 : Copy of the PMG letter dated 10.01.2019

Annexure A6 : Copy of the order of the Whitewasher judgment of the Hon'ble Apex Court

Annexures referred in reply statement

Annexure R1 : Copy of the circular issued by the Department of Posts regarding allotment of staff quarters.

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