



CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

O.A.NO.060/00522/2020

&

O.A.NO.060/00523/2020

Decided on: 10.08.2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)

(i) O.A.NO.060/00522/2020

1. Shri Jaspal Singh, (age 66 years) (Retd) Assistant Director, O/o CPMG, Punjab Circle, Chandigarh, resident of House No. 446, Shiva Enclave, Zirakpur-140603, Mohali, Punjab.
2. Shri Juggal Kishore Datta, (age 63 years) (Retd) Assistant Director, O/o PMG, PWR, Chandigarh, resident of VPO Khad. Via Pandoga, District Una, Himachal Pradesh, Pin-177207.
3. Shri Rajinder Kumar Joshi (age 62 years) (Retd), Assistant Director, O/o PMG, PWR, Chandigarh, resident of House No. 768, Sector 115, Gillco Palm Kharar-140301 District S.A.S. Nagar Mohali Punjab.
4. Shri Sat Paul (age 61 years), Sr. Post Master, O/o SSPO, Ludhiana, resident of 1 New Raj Guru Nagar Extn, Near Sohi Bagh, Ferozepur Road, Ludhiana, Pin-142021.
5. Smt. Shashi Bala, (age 63 years) (Retd.), Superintendent, O/o SPO-CSD, Ludhiana, resident of House No. 33H, Majhitha Enclave, Near Railway Patak, Patiala City, Pin-147005.
6. Shri Baljinder Sandhu, (age 65 years) (Retd), SSPO (STS), O/o SP (HQ) Jalandhar Division, resident of House No. 338/8A, Ram Basti, Hareri Road, Sangrur Pin-148001.
7. Shri Gurdev Singh, (age 61 years) (Retd), Superintendent RMS, O/o CPMG Punjab, Chandigarh, resident of Village Ranjitgarh Bander, PO Bhagwanpur, Via Jhurir District Mansa, Pin-151506.



8. Shri Mohinder Pal (age 66 years)(Retd.) Sr. Post Master, O/o SSP, Hoshiarpur, resident of House No. 14, Gali No. 5, Near Arora Market, Rishi Vihar, Phase-I, Majithia Road, Amritsar Pin-143001.
9. Shri Kulwant Singh Behar, (age 66 years) (Retd.), Superintendent RMS, O/o CPMG Punjab, Chandigarh, resident of House No. 126, Ward No. 24, Mohalla Mata Rani, Khanna, District Ludhiana Pin-141401.
10. Shri Inderjit Sharma, (age 60 years) (Retd.), SSPO, o/o CPMG Punjab, Chandigarh, resident of House No. 1045, Sector 7, Panchkula, Pin-134109.
11. Shri Kulwant Singh, (age 65 years) (Retd), Superintendent RMS, O/o SSRMS Ludhiana Division, resident of House No. 226, Street No. 6E/2, Dashmesh Nagar, Moga Pin-142001.
12. Smt. Kamlesh Rani, (age 63 years) (Retd), SPO, CPMG Punjab, Chandigarh, resident of House No. 75. Vikas Vihar, Phase-I, Ferozepur City pin-152002.
13. Shri Gopi Chand Goyal, (age 61 years) (Retd), Senior Superintendent Post office, Gurdaspur Division, resident of House No. 3/362 Raj housing Board Colony, Hanumangarh Junction 335512, Rajasthan, Pin-360001.
14. Shri Parkash Singh, (age years), Senior superintendent of Post Office, Gurdaspur Pin-143521.
15. Shri S.S. Kaushal, (age Years) Assistant Director, O/o Post master General, Punjab West Region, Sector 17, Chandigarh Pin-160017.

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Applicants

Versus

1. Union of India through the Secretary (P), Government of India, Ministry of Communication & Information Technology, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.



2. The Chief Postmaster General, Punjab Circle, Near Hotel Shivalik View, Sector 17, Chandigarh, Pin-160016.

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Respondents

(ii) O.A.NO.060/00523/2020

1. Parshotam Lal (age 66 yrs), Superintendent Post Office, Faridabad, resident of VPO Jharali, Via Gharota, Tehsil & District Gurdaspur, Punjab.
2. Kulwinder Pal (age 64 years) (Retd), DDM (PLI), O/o Chief Postmaster General Haryana, Ambala, resident of Village Dhadda, P.O.Sanaura, Near Bhogpur, District Jalandhar, Punjab.

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Applicants

Versus

1. Union of India through the Secretary (P), Government of India, Ministry of Communication & Information Technology, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. The Chief Postmaster General, Haryana Circle, Ambala.

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Respondents

**(BY ADVOCATE : MR. DHIRAJ CHAWLA,
FOR APPLICANTS)**



O R D E R (ORAL)
HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

Both these Original Applications involve identical facts and law and as such these have been taken up for disposal by a common order. The facts are being taken from O.A.No.060/00522/2020 (**Jaspal Singh & Others Vs. UOI etc.**)

2. The applicants have approached this Tribunal, inter-alia, for issuance of a direction to the respondents to take a time bound decision with regard to the grant of Grade Pay of Rs.5,400 w.e.f. the date of completion of regular service of 4 years in the Grade Pay of Rs.4,800 (Pre-revised Rs.7,500-12,000) in terms of part-C, Section-II of the 1st Schedule of CCS (Revised Pay) Rules, 2008 (Annexure A-1) and consequently re-fix their pay and retiral dues, as well as Pension and release arrears thereof forthwith as already granted to similarly situated employees in view of the law settled by the Hyderabad Bench of Central Administrative Tribunal vide its judgement dated 14.9.2015 (Annexure A-2), which in turn was on the basis of a judgement passed by Hon'ble Madras High Court in CWP No. 13225 of 2010 decided on 6.9.2010 against which the Govt. of India filed SLP (C) No.



15627 of 2011 before the Hon'ble Supreme Court of India, which came to be dismissed vide order dated 10.10.2017.

3. We have heard the learned counsel for the applicants. He submits that applicants are basically claiming benefit of a judgement dated 14.9.2015 (Annexure A-2) in the matter of **B. UDAYA SHANKARA RAO & OTHERS VS. THE GOVT. OF INDIA & OTHERS**, rendered by the Hyderabad Bench of the Central Administrative Tribunal, which was decided on the basis of a judgement dated 6.9.2010 passed by Hon'ble Madras High Court in CWP No. 13225 of 2010, as upheld in SLP (C) No. 15627 of 2011 vide order dated 10.10.2017. In short it has been held that applicants (therein), shall be granted higher pay scale of Rs.5,400/- w.e.f. their respective dates of completion of regular service in the Grade Pay of Rs.4,800/- (Pre-revised scale of Rs.7,500-12,000). However, that decision was implemented in favour of applicants only, subject to condition that it may not be treated as a precedent for other cases.

4. The applicants herein approached this Tribunal with O.A.No.060/254/2020 titled **JASPAL SINGH & OTHERS VS. UOI ETC.** which was disposed of on



17.3.2020, with the direction to the respondents to consider and take a decision on the legal notice served on behalf of the applicants. Pursuant thereto, the respondents have informed the applicants vide letter dated 25.6.2020, that the matter is under examination at Postal Directorate in consultation with Department of Expenditure, Ministry of Finance, New Delhi.

5. Learned counsel for the applicants submitted that the respondents may be directed to take a decision on the issue within some fixed time frame.

6. In the wake of the aforesaid factual scenario, both these O.As are disposed of with a direction to the respondents to consider and take a conscious decision on the claim of the applicants expeditiously, and in any case not later than six months from the date of receipt of a copy of this order. No costs.

7. Connected M.As also stand disposed of accordingly.

(SANJEEV KAUSHIK)
MEMBER (J)

(AJANTA DAYALAN)
MEMBER (A)

Place: Chandigarh
Dated: 10.08.2020

HC*