

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/300/2020

HYDERABAD, this the 1st day of July, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B. V. Sudhakar, Admn. Member



B. Rayappa,
So. Lourdaiah,
Aged 68 years,
Occ: Asst. Director (Retd.),
R/o. H.No. 53-1-137,
Arulnagar, Vijayawada – 520 008.

... Applicant

(By Advocate: Mr. N. Vijay)

Vs

1. The Union of India,
Ministry of Communications and IT,
Department of Posts,
Dak Bhavan, New Delhi rep. by its Secretary.
2. The Chief Post Master General,
A.P. Circle, Krishna Lanka,
Vijayawada -13.
3. The Postmaster General,
Vijayawada Region,
Vijayawada – 520 003.
4. The General Manager (Finance) Accounts Office,
A.P. Circle, Krishna Lanka,
Vijayawada – 520 013.

... Respondents

(By advocate: Mrs. K. Rajitha, Sr. CGSC)

ORDER (ORAL)

Hon'ble Mr. B.V. Sudhakar, Admn. Member



2. The OA is filed against the action of the respondents in not fixing the pay of the applicant in terms of the Circular dt.20.08.2018 issued by the respondent No. 1.

3. Brief facts of the case are that the applicant after passing the Limited Departmental Competitive Examination was promoted to the Inspector cadre in the respondent organization and then started working as Section Supervisor. Applicant submits that, pursuant to specific reference to Inspector Posts in the CCS (Revised Pay) Rules, 2008 with Grade Pay of Rs.4600/-, a clarification was sought in regard to the pay of the Inspectors of Posts in some Circles and those posted in the Directorate had refixed the pay by granting promotional increment who have been granted financial upgradation. Applicant claims that the 1st respondent has clarified that the Inspector Posts is not in the regular promotional hierarchy for Postal Assistant and they become Inspectors only on attaining merit in the competitive examination and as such, 3% fitment benefit should be allowed to officials at the time of fixation of pay on promotion to the post of Inspector Posts even after availing financial upgradation. Similarly placed employees who qualified along with the applicant in LDC Examination after being promoted as Inspector Posts were granted arrears of pay by granting an increment on promotion. However, the applicant was not granted the said benefit. Aggrieved over the same, the OA is filed.

4. The contentions of the applicant are that when similarly placed employees were granted the benefit, denying the same to him would tantamount to grave injustice. He has also stated that he has made representations to the respondents on 19.11.2018 and 03.06.2019 requesting to grant increment due to him in terms of circular dt. 20.08.2018. Till date, the respondents have not disposed of the representations though nearly two years have lapsed. Learned counsel for the applicant has prayed for disposal of the representations in a given time frame. Learned counsel for the respondents sought time to file reply.

5. However, in view of the fact that similarly placed persons were granted benefit while denying the same to the applicant and the representations of the applicant have been pending with the respondents for nearly 2 years, this Tribunal deems fit to direct the respondents to dispose of the representations made by the applicant dt.19.11.2018 and 03.06.02019 within a period of 12 weeks from the date of receipt of this order, by issuing a speaking and reasoned order.

6. With the above directions, the OA is disposed of at the admission stage itself. No order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

/evr/

(ASHISH KALIA)
JUDL. MEMBER