

**Central Administrative Tribunal  
Ernakulam Bench**

**O.A No.180/00342/2021**

Wednesday, this the 28<sup>th</sup> day of July, 2021

**CORAM:**

**Hon'ble Mr. P.Madhavan, Judicial Member  
Hon'ble Mr.K.V.Eapen, Administrative Member**

1. Jay Mohan S/o Mohanan B.,  
aged 30 years, GDS BPM, Edakkunnam B.O.,  
Changanasseery Postal Division, Pin: 686512  
Residing at Mannarathu (H),  
Chirakkadavu East P.O, Chirakkadavu,  
Kottayam District -686520.
2. Rajimol E.K., D/o E.K. Krishnankutty  
Aged 39 yrs, GDS MP  
Kurisumood P.O, (Former BPM, Alapra B.O)  
Changanassery Postal Division, Pin:686104,  
residing at Ellathuparambil, Veroor P.O.,  
Changanassery, Kottayam District -686104.
3. Julie Mathew D/o George.K.Thomas,  
Aged 43 years, BPM, Pazhayaidom B.O.,  
Changanasseery Postal Division, Pin:686520,  
Residing at Kuttikkattu, Koorali P.O.,  
Kottayam District – 686522.
4. Joseph John S/o John Joseph,  
Aged 31 years, BPM Propose, Erumely S.O.,  
Changanassery Postal Division -686509,  
Residing at Kollukombil (H), Kottickal P.O.,  
Thalumkali – 686514.
5. Nejma Muhammed Koya D/o Sabeer K.M.,  
Aged 29 years, BPM, Chittady, (Former BPM, Urakkanadu, Parathodu S.O.),  
Chittady P.O., Changanasseery Postal Division, Pin: 686512,  
Residing at Kolippara (H), Chittady P.O.,  
Chittady, Kottayam District – 686512.
6. Tishamol Raju D/o Raju Joseph,  
Aged 28 years, GDS BPM, Mukkada P.O., Karikattoor,  
Changanassery Postal Division, Pin: 686547,  
Residing at Elukunnel House, Kanjirappally P.O.,

Kottayam District – 686507.

7. Smitha P.S. W/o Sabu N.D,  
Aged 45 years, BPM, Kainady B.O.,  
Changanassery Postal Division, Pin: 686534,  
Residing at Nadukkayalchira,  
Kainady P.O., Pin : 686534.
8. Asslam Ashraf S.o Ashraf. H.,  
Aged 24 years, BPM, Kunnamkary B.O.,  
Changanassery Postal Division, Pin: 686103,  
Residing at Mangalawukunnel, P.C.Kavala P.O.,  
Paippad, Pin: 686537.
9. Maya T.R. D/o K. Raghavan,  
Aged 45 years, BPM, Ponthenpuzha P.O.,  
Changanassery Postal Division, Pin 686544,  
Residing at Enchapparackal (H), Mannarakyam P.O.,  
Chirakkadavu- 686506.
10. Sijo.T.Babu S/o Babu T.P.,  
Aged 28 years, BPM, Pulickallu B.O.,  
Changanassery Postal Division, Pin: 686001,  
Residing at Thachukunnel House, Thalumkal P.O.  
Kottickal, Pin: 686514.
11. Rajan Pillai K.R., S/o Ramakrishna Pillai K.K.,  
Aged 65 years, GDS BPM, Vellavoor P.O., Kangazha,  
Changanassery Postal Division – 686541,  
Residing at Kulakkotte (H), Vellavoor P.O., Kangazha,  
Kottayam District – 686541.
12. Suja Menon E.V., W/o K.S. Manmadhan Nair,  
Aged 51 years, BPM, Pathamuttom B.O.,  
Changanassery Postal Division, Pin:686532,  
Residing at Elayadathu House, Kuzhimattam P.O.,  
Kottayam District – 686533.
13. Fathima Ashraf D/o Ashraf. H.,  
Aged 26 years, BPM, Nalunnakal BO,  
Changanassery Postal Division, Pin: 686538,  
Residing at Manglawukunnel, P.C.Kavala P.O., Paippad,  
Kottayam District – 686537.
14. Arya Vijikumar, W/o Vijikumar.G.,  
Aged 28 years, BPM, Kurumpanadom B.O.,  
Changanassery Postal Division, Pin: 686536,  
Residing at Mattathilputhenpura, Aymanam P.O.,  
Kottayam District – 686015.
15. Aswathy Radhakrishnan W/o Kannan A.S.,

Aged 28 years, BPM, Umbidi P.O.,  
Changanassery Postal Division, Pin:686539,  
Residing at Arackaparambil (H), Kummanom P.O.,  
Kottayam District- 686005.

16. Nayana.N.Dileep., D/o Dileepkumar K.P.,  
Aged 26 years, BPM, Chelakomba B.O., Karukachal,  
Changanassery Postal Division: 686540,  
Residing at Nayana Sadanam, Vazhoor P.O.,  
Kottayam District – 686504
17. Prasoolakumary K.T., W/o N.Sajan,  
Aged 58 years, BPM, Karikkatoor Centre B.O.,  
Changanassery Postal Division, Pin: 686544,  
Residing at Nellimala, Thampalakad P.O, Pin:686506.
18. Honeymol Babu W/o Santhosh K.K.,  
Aged 29 years, BPM, Poovatholy B.O.,  
Changanassery Postal Division, Pin: 686544,  
Residing at Kandathil (H), Chirakkadavu P.O., 3<sup>rd</sup> Mile,  
Kottayam District – 686520.
19. Remya Raj, D/o K.A. Rajan,  
Aged 40 years, Postman, Kurisummoodu P.O.,  
Changanassery – 686104 (BPM, Arruvikuzhy)  
Changanassery Postal Division,  
Residing at Raj Bhavan, Vellayil P.O.,  
Valiyakunnam, Theodical – 689613.
20. Aswini Anand D/o K.N.Sugunanadan,  
Aged 27 years, Postman,  
Changanassery H.O., (Formerly BPM, Kumarankari B.O.), Pin: 686101,  
Residing at Kalarickal House,  
Kainady P.O., Pin: 686534.

- Applicants

(By Advocate: Mr.V.Sajith Kumar)

Versus

1. Union of India, represented by the Secretary to Government,  
Department of Posts,  
Government of India, New Delhi-110001.
2. The Chief Postmaster General, O/o The Chief Postmaster General,  
Kerala Circle, Trivandrum – 695001
3. The Post Master General, Central Region, Kochi – 686020
4. The Superintendent of Post Officer,  
O/o The Superintendent of Post Offices,  
Changanassery Postal Division, Changanassery – 686101.

- Respondents

(By Advocate: Mr.P R Sreejith, ACGSC)

The O.A having been heard on 28<sup>th</sup>, July 2021 through video conferencing, this Tribunal delivered the following order on the same day:

### **ORDER (ORAL)**

#### **P.Madhavan, Judicial Member**

This Original Application has been filed by the applicants seeking the following reliefs:

*“a) To quash Annexure A1, Annexure A2 and Annexure A10.*

*b) To declare that the Applicants performing conveyance of mail in addition to their duty hours as GDS BPM are entitled to get combined Duty Allowance in terms of Annexure A7 to Annexure A9 and any other interpretation to Annexure A7 is highly illegal and unjust.*

*c) To direct the Respondents to continue to pay Combined Duty Allowance to the Applicants for conveying mails after their duty hours as GDS BPM so far as they are required to perform this as an additional duty after duty hours and to grant all consequential benefits.*

*d) Grant such other reliefs as may be prayed for and as the Court may deem fit to grant, and*

*e) Grant the cost of this Original Application.”*

2. The brief facts of the case are as follows:

The applicants are aggrieved by the proceedings issued by the Respondents proposing to stop Combined Duty Allowance which was being paid as per Rules and the attempt to recover the benefits drawn by them. Hence, they have approached this Tribunal praying for the aforementioned reliefs.

3. When the matter came up for hearing, it appears that the applicants had not approached the Competent Authority regarding their grievances.

4. In view of the above, *applicants are directed to file a detailed representation on the basis of relevant rules and regulations within a period of two weeks before Respondent No.2. The respondent no.2 is directed to consider the representation in the light of relevant rules, regulations, government orders and decisions on the subject and pass a speaking order within a period of three months from the date of receipt of such representation. Till that time, no recovery shall be effected.*

5. The Original Application is disposed of at the admission stage itself as above. No costs.

**(K.V.Eapen)**  
**Administrative Member**

**(P.Madhavan)**  
**Judicial Member**

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**List of Annexures**

- Annexure A1 - A true copy of the Order No. A/5-10/11 VOL VII dated 12.07.2021 issued by the 4<sup>th</sup> Respondent to the Post Master, Kanjirappally H.O.
- Annexue A2 - A true copy of the Order No. A/5-10/11 VOL VII dated 12.07.2021 issued by the 4<sup>th</sup> Respondent to the Post Master, Changanassery H.O.
- Annexure A3 - A true copy of the Letter No. 41-437/87-PE. II dated 06.07.1988 issued by the 1<sup>st</sup> Respondent.
- Annexure A4 - A true copy of the relevant pages of the Letter No. 6-1/2009, PE. II dated 9.10.2009 issued to the 1<sup>st</sup> Respondent.
- Annexure A5 - A true copy of the Combination Memo No. A/6-160/93 dated 12.03.2009 issued to the 11<sup>th</sup> Applicant by the 4<sup>th</sup> Respondent.
- Annexure A6 - A true copy of the Order No. 17-103/2007-GDS dated 17.12.2015 on behalf of the 1<sup>st</sup> Respondent.
- Annexure A7 - A true copy of relevant pages of O.M. No. 17-31/2016-GDS dated 25.06.2018 is issued by the 1<sup>st</sup> Respondent.
- Annexure A8 - A true copy of the Order No. 17-31/2016-GDS dated 21.06.2019 issued by the 1<sup>st</sup> Respondent.
- Annexure A9 - A true copy of Letter No. 17-31/2016-GDS dated 06.01.2020 issued by the 1<sup>st</sup> Respondent.
- Annexure A10 - A true copy of the Order No. EST/36-2/GDS REVISION/Dlgs/2018 dated 20.02.2020 issued by the 3<sup>rd</sup> Respondent.
- Annexure A11 - A true copy of Memo F.No. 18/03/2015/Estt (Pay-I) dated 02.03.2016 issued on behalf of the 1<sup>st</sup> Respondent.

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