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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00261 of 2015
Cuttack, this the 15th day of May, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

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1. Sri Kangali Charan Sethi, aged about 70 years, S/o, Late Baban Sethi, Ex-Sub Postmaster , Bhoi Nagar S.O, residing at Plot No. 84/05/, Road No IX, B-1, Mahabir Nagar, Samantrapur, Bhubaneswar, Khurda
2. Digambar Nayak, aged about 67 years, S/o Late Chandra Sekhar Nayak, Ex-PA, Plot No 614, Divya Vihar Road, No. 3 , Samantrapur, Bhubaneswar
3. Jayaram Nayak, aged about 65 year s, S/o Late Ganesh Nayak, Ex P.A Basudev Sani, Balakati, Khurda
4. Purna Chandra Dash, aged about 61 years, S/o Late Madhusudan Dash, Ex- SPM, Jageswar Colony, Khurda
5. Rabi Narayan Sahoo, aged about 60 years, S/o Late Chaitanya Sahoo, Ex- O.A, Plot No. 60/5 , Road No 6 , Mahavir Nagar, Samantarapur, Bhubaneswar.
6. Debendra Rout, aged about 65 years, S/o late Maguni Rout, Vill:Satakabada, Po- Biswanathpur , Via: Balipatana, Dist :Khurda

...Applicants

(Advocates: Mr. D.K.Mohanty)

VERSUS

Union of India Represented through its

1. Union of India represented through its Director General of Posts, Ministry of Communications, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. The Chief Postmaster General, Odisha Circle, Bhubaneswar, Dist.-Khurda, PIN-751 001.
3. The Sr. Superintendent of Post Offices, Bhubaneswar Division, Bhubaneswar -1
4. Secy. Dept. of Personal and Training Ministry of Public Grievance and Pension , Govt of India , New Delhi.

... Respondents

(Advocate: Mr. J.K.Nayak)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. D.K.Mohanty, Ld. Counsel for the Applicants, and Mr. J.K.Nayak, Ld. Additional Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. M.A.No. 387/15 filed by the applicants to prosecute this case jointly is allowed subject to payment of Rs. 50/- per applicant except applicant No.1. M.A. is, accordingly, disposed of. Mr. Mohanty may make the payment by 20.05.2015.

3. This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“(i) To direct the Respondents to promote the applicant to HSG-II after 8 years of LSG and HSG-I after 3 years of HSG-II cadre retrospectively with all consequential benefits.

(ii) To direct the Respondents to calculate and disburse the differential arrear pensionary dues.

(iii) To pass any other order.....”

4. The case of the applicants in nutshell is that they joined the Postal Department on different dates between 1965- 1982 in the post of Postal Assistant and, subsequently, promoted to LSG cadre after completion of 16 years of their regular services. Consequent upon the notional promotion of similarly situated persons, who had filed O.As. before the Tribunal which was upheld by the Hon’ble High Court as well as Hon’ble Apex Court, in the cadre of LSG/HSG-II and HSG-I, the applicants made representations individually vide Annexure-A/4 series before Respondent No.2 to extend the similar benefits. Having received no response, they have filed the present O.A. with the aforesaid prayers.



5. Taking into account the submission made by Mr. Mohanty, Ld. Counsel for the applicants, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 2 to consider and dispose of the representations as at Annexure-A/4 series, if the same have been filed and are still pending consideration, in a well reasoned order and communicate the same to the applicants within a period of 60 days from the date of receipt of a copy of this order. If after such consideration the applicants are found to be entitled to the relief claimed by them then expeditious steps be taken within a further period of 90 days from the date of such consideration to extend the said benefits to the applicants. However, the points raised by the applicants in their representations are kept open for the authorities to consider the same as per the rules, regulations and law governing the field. If in the meantime the representations have already been considered and disposed of then the result thereof be communicated to the applicants within a period of two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of at this admission stage. No costs.

7. On the prayer made by Mr. Mohanty, Learned Counsel appearing for the applicants, copy of this order, along with paper book, be sent to Respondent No. 2 by Speed Post for which he undertakes to file the postal requisites by 20.05.2015.


(A.K.PATNAIK)
MEMBER(Judl.)