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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00422 of 2015
Cuttack, this the 21st day of July, 2015

CORAM

**HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)**

.....

Narayan Bharsagar,
aged about 67 years,
S/o Late Khesethri Bharsagar,
Vill: Sanasamura, PO- Kartang,
PS- Binka, Dist: Subarnapur.

...Applicant

(Advocates: Mr. D.K.Mohanty)

VERSUS

Union of India Represented through its

1. Director General of Posts,
Ministry of Communications,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
2. Chief Postmaster General,
Odisha Circle, Bhubaneswar,
Dist- Khurda, PIN-751001.
3. Superintendent of Post Offices,
Bolangir Division,
Bolangir.
4. Secretary,
Dept. of Personal & Training,
Ministry of Public Grievance & Pension,
Govt. of India, New Delhi.

... Respondents

(Advocate: Mr. A.K.Mohapatra)

.....

O R D E R (ORAL)

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

Heard Mr. D.K.Mohanty, Ld. Counsel for the Applicant, and Mr. A.K.Mohapatra, 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. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

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

(ii) To pass any other order.....”

3. The case of the applicant in nutshell is that he joined the Postal Department on 24.10.1968 in the post of Postal Assistant. His grievance is that though the Govt. of India introduced TBOP Scheme w.e.f. 30.11.1983 to be promoted to LSG on completion of regular service of 16 years, and BCR Scheme w.e.f. 11.10.1991 to be promoted to the post of HSG-II after completion of regular service of 8 years in the LSG cadre and thereafter to be promoted to HSG-I after completion of regular service ^{of 3} 3 years in HSG-II cadre, he was promoted to the post of LSG on 21.08.2007 and, subsequently, he retired as such from service w.e.f. 31.05.2008. The applicant claims that he was the similarly situated employee in whose favour the benefits of TBOP and BCR have been granted after the Court order but the same has not been extended to him. Accordingly, by filing a representation dated 07.04.2015 (Annexure-A/4) to Respondent No.2, he has prayed for extending the similar benefits. Mr. Mohanty, Ld. Counsel for the applicant, submitted that till date no communication has been made to the applicant against his representation.

4. In view of the above, since the representation of the applicant is stated to be pending, without expressing any opinion on the merit of the case, we dispose of this O.A. at this admission stage by directing Respondent No. 2 to consider and dispose of the representation vide Annexure-A/4, if the



same has been preferred by the applicant and is still pending consideration, with a well reasoned order and communicate the same to the applicant within a period of two months from the date of receipt of a copy of this order. Though, we have not expressed any opinion on the merit of the matter still then we hope and trust that the authorities will consider the case of the applicant keeping in mind the fact that other similarly situated employees have been granted the benefits as claimed by the applicant. However, the points raised by the applicant in his representations are kept open for the authorities to consider the same as per the law and rules in force. If after such consideration the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of three months to grant the said relief. If in the meantime the representation has already been disposed of then result thereof be communicated to the applicant within a period of two weeks.

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

6. On the prayer made by Mr. Mohanty, Learned Counsel appearing for the applicant, 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 24.07.2015.


(R.C.MISRA)
MEMBER(Admn.)


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