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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH, JODHPUR.

* * *

Date of Decision: 09.7.2002

OA 350/2001

Jepa Ram Sangar, Hindi Typist o/o Supdt. of post Offices,
Pali (Rajasthan).

... Applicant

V/s

1. Union of India through Secretary, Ministry of
Communication, Department of Posts, Dak Bhawan
New Delhi.
2. Post Master General, Rajasthan Western Region,
Jodhpur.
3. Supdt. of Post Offices, Pali Division, Pali Marwar.

... Respondents

CORAM:

HON'BLE MR.JUSTICE O.P.GARG, VICE CHAIRMAN

HON'BLE MR.GOPAL SINGH, ADM.MEMBER

For the Applicant ... Mr.S.K.Malik

For the Respondents ... Mr.Vinit Mathur

O R D E R

PER HON'BLE MR.GOPAL SINGH, ADM.MEMBER

In this application u/s 19 of the Administrative
Tribunals Act, 1985, applicant Jepa Ram Sangar has prayed
for a direction to the respondents to consider the case
of the applicant for promotion in LSG cadre under OTBP/BCR
Scheme after completion of 16 years of service, with all
consequential benefits.

[Signature]



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2. Applicant's case is that he was initially appointed on the post of Hindi Typist in the scale of Rs.260-480 w.e.f. 5.12.81. In due course of time, the applicant was given replacement scale of Rs.975-1660 after Fourth Central Pay Commission and scale of Rs.4000-6000 after the Fifth Central Pay Commission. The respondents, however, vide their order dated 5.1.99, reduced the scale of pay of Hindi Typist to Rs.3200-4900. The applicant alongwith two other persons had earlier challenged the respondents' order dated 5.1.99 in OAs 20/99, 21/99 & 22/99. This Tribunal vide order dated 21.8.2000 allowed these OAs and directions to the respondents that the applicants would continue to draw their pay in the pay scale of Rs.4000-6000 were issued. Tribunal's orders dated 21.8.2000 were challenged by the respondent department before the Rajasthan High Court. Hon'ble the Rajasthan High Court, vide order dated 4.1.2001, confirmed the order of this Tribunal. Thereafter, repeated requests were made to the respondents but the case of the applicant for promotion in the cadre of LSG under OTBP Scheme has not been considered. Hence this application.



3. Notices were issued to the respondents and they have filed their reply.

4. We have heard the learned counsel for the parties and perused the records of the case carefully.


5. It is admitted on both the sides that the present case is fully covered by order dated 7.11.2000, passed in

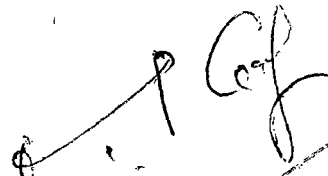
passed

OA 275/99, by the Jaipur Bench of the Central Administrative Tribunal. The said order dated 7.11.2000, passed in OA 275/99, was based on our order dated 21.8.2000 in OA 20/99. We find that the present case is squarely covered by the said orders and, therefore, deserves to be allowed.

6. For detailed reasons recorded in our order dated 21.8.2000, passed in OA 20/99, this OA is allowed. The applicant as Hindi Typist would be entitled to the scale of Rs.4000-6000 at par with Postal Assistants. The applicant would further be entitled for promotion to LSG as per One Time Bound Promotion Scheme, if found suitable. The respondents are allowed three months time to comply with this order. Parties are left to bear their own costs.




(GOPAL SINGH)
ADM. MEMBER


(JUSTICE O.P. GARG)
VICE CHAIRMAN

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Part II and III destroyed
In my presence on 24-7-02
under the supervision of
section officer () as per
order dated 14-7-02

Section officer (Record)