

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 430 of 2013

Tuesday, this the 12th day of November, 2013

CORAM:

Hon'ble Mr. Justice A.K. Basheer, Judicial Member
Hon'ble Mr. Rudhra Gangadharan, Administrative Member

C.G. Sudharmini, Postman, Varkala PO,
 Thiruvananthapuram – 695 141,
 Residing at Prajeesh Bhavan, Vanchiyoor PO,
 Alamcode, Thiruvananthapuram – 695 102. **Applicant**

(By Advocate – Mr. Vishnu S. Chempazhanthiyil)

V e r s u s

1. Union of India, represented by its Secretary to
 Government of India, Department of Posts,
 Ministry of Communications, New Delhi – 110 001.
2. The Chief Postmaster General, Kerala Circle,
 Thiruvananthapuram – 695 033.
3. The Senior Superintendent of Post Offices,
 Thiruvananthapuram North Postal Division,
 Thiruvananthapuram – 695 001. **Respondents**

(By Advocate – Mr. S. Jamal, ACGSC)

This application having been heard on 12.11.2013, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr. Justice A.K. Basheer, Judicial Member-

The applicant is stated to be working as Postman at Varkala Post Office within the jurisdiction of respondent No. 3. He has filed this Original Application seeking the following reliefs:-

- “1. Call for the records relating to Annexure A1 to A10 and to declare that the applicant is entitled to be reckoned as appointed to the

cadre of Postman with effect from February 2003, along with her batch mates and to revise the salary and allowances with effect from February 2003 and to revise the seniority of the applicant accordingly;

2. Direct the respondents to revise the salary & allowances of the applicant with effect from February 2003 and pay her the arrears with 12% interest and to revise the seniority in the cadre accordingly.

3. To grant all consequential benefits like continuance in the provident fund and pension scheme prevalent in the year 2003.

4. Direct the respondents to stop monthly recovery from salary for contribution to the New Pension Scheme and to pass appropriate orders to refund the amounts already recovered from the applicant towards the New Pension Scheme.”

2. In the written statement the respondents have stated thus:-

“3. It is respectfully submitted that the request of the applicant was considered by this respondent and the applicant would be given similar treatment as in the case of applicants in OA 66/2008 and 703/2009. Further to that as per the law laid down by this Hon'ble Tribunal in OA 81/2012 and 950/2011, this respondent has decided to restrict the payment of arrears to last three years prior to filing of the instant OA by the applicant.

4. In the above facts and circumstances this Hon'ble Tribunal may be pleased to record the above submission and kindly close the above OA.”

3. In view of the above categorical averments made by the respondents in their written statement, we do not find any reason to retain this Original Application on the file of this Tribunal any more.

4. However, learned counsel for the applicant prays that a direction may be issued to the respondents to take further steps to effectuate the order within a time frame. The above prayer is only just and reasonable.



5. Therefore, the Original Application is disposed of with a direction to the respondents to extend the benefits as indicated in paragraph 3 of the written statement to the applicant as expeditiously as possible at any rate within three months from the date of receipt of a copy of this order.

6. Original Application is disposed of in the above terms. No costs.

Myad
(RUDHRA GANGADHARAN)
ADMINISTRATIVE MEMBER


(JUSTICE A.K. BASHEER)
JUDICIAL MEMBER

“SA”