

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 485 of 1999

Tuesday, this the 6th day of November, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. Balakrishnan V,
S/o Kesavan Nambeesan,
Extra Departmental Branch Post Master,
Kurichagam, Kuttadi, Calicut-673508
residing at Vadakkayil, PO Nittoor,
Via Kakkathil, Calicut-673507Applicant

[By Advocate Mr. MR Hariraj for Mr. R Sreeraj]

Versus

1. The Postmaster,
Vadakara.
2. The Superintendent of Post Offices,
Vadakara Division, Vadakara.
3. Chief Postmaster General,
Kerala Circle, Trivandrum.
4. Union of India, represented by the
Secretary to Government of India,
Ministry of Communications, New Delhi.
5. Director General of Posts,
Sanchar Bhavan, New Delhi.Respondents

[By Advocate Mr. S. Krishnamoorthy, ACGSC]

The application having been heard on 6-11-2001, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, an Extra Departmental Branch Post Master, Kurichagam, Kuttadi, Calicut, is aggrieved by the reduction of the time related continuity allowance (TRCA for short) due to him from the scale of Rs.1600-2400 to the scale of Rs.1280-1980 by the impugned order dated 21-4-1999 (Annexure A1) retrospectively with effect from 1-3-1998. He has, therefore, filed this application for the following reliefs:-

"i. to quash Annexure A1 and A4 to the extent they relate to the applicant.

i(a) quash Annexure R8 or in the alternative, declare that Annexure R8 has no application in case at hand.

ii. Declare that the scale of time related continuity allowance Rs.1600-40-2400 fixed in favour of the applicant is legal and direct the respondents to continue to make payments to the applicant on the basis of the pay scale 1600-2400 and not to recover any amount from the Time related continuity allowance of the applicant.

iii. Grant such other relief as may be prayed for and the Tribunal may deem fit to grant, and,

iv. Grant the costs of this Original Application."

2. Respondents have filed a detailed reply statement contesting the claim of the applicant.

3. However, when the application came up for final hearing today, learned counsel on either side agree that the application may be disposed of permitting the applicant to make a representation to the 5th respondent with regard to the reduction in TRCA and directing the 5th respondent to consider and dispose of the representation within a reasonable time frame.

4. In the light of the above submission by the learned counsel on either side, without going into the merits of the case, we dispose of the application permitting the applicant to make a representation to the 5th respondent with regard to the reduction in TRCA within four weeks from today and directing the 5th respondent, if such a representation is received, to consider and dispose of the same by a speaking order within a period of three months from the date of receipt of the representation. We also direct that till a speaking order as

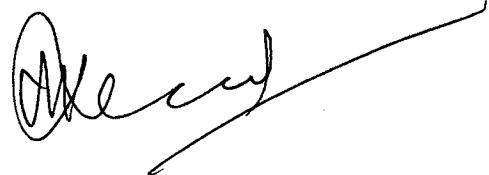
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aforesaid is communicated on the applicant no recovery be made on the basis of the impugned order A1 in this case. No order as to costs.

Tuesday, this the 6th day of November, 2001



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

ak.

APPENDIX

Applicant's Annexures:

1. Annexure A1 True copy of the order No.AC/EDA/99-2000 dated 21.4.99 issued by the 1st respondent.
2. Annexure A2: True copy of the letter No.EST/66-2/98 dated 15.1.99 issued by the Asst.Dircotor(Estt.) Office of the Supdt. of Post Offices, Thalassery Division,. Thalassery.
3. Annexure A3: True copy of the schedule showing the scales of TRCA with regard to various branch officers of Vadakara Division.
4. Annexure A4: True copy of the Order No.A11/BPM.TRCA dated 8.4.1999 issued by the 2nd respondent.
5. Annexure A5: True copy of the letter No./EST/66-2/88 dated 14.8.1989 issued by Asst.Director(Estt.) Office of the Chief PMG, Kerala Circle, Trivandrum.

Respondents' Annexures:

1. Annexure R1: True copy of the letter No.EST/66-2/98 dated 21.12.98 issued by 3rd respondent.
2. Annexure R2: True copy of the letter No.EST/66-2/98 dated 15.1.99 issued by Asst.Supdt.of Post Office, Vadakara.
3. Annexure R3: True copy of the workload statement in respect of the applicant.
4. Annexure R4: True copy of the declaration dated 18.2.1999.
5. Annexure R5: True copy of the letter No.EST/66-2/98 dated 11.3.99 issued by Director(ESTT).
6. Annexure R6: True copy of letter No.A11/BPM/TRCA dated 8.4.99 issued by 2nd respondent.
7. Annexure R7: True copy of Memo No.A11/BPM/TROA dated 3.2.99 issued by 2nd respondent.
8. Annexure R8: True copy of the letter No.EST/66-2/98 dated 14.8.89 issued by the 3rd respondent.

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