

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. No.507 of 2004

Tuesday this the 23rd day of January, 2007

CORAM :

**HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE MR.N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

1. Jayakumar K.B.
Postal Assistant Kerala Circle Stamp Depot
Ernakulam
Residing at : Bhavana Pipe Line Road
Palarivattom, Kochi - 682 025
2. Issac K.A.
Postal Assistant Kerala Circle Stamp Depot
Ernakulam
Residing at : Kabaleeswarath House,
Kureekad P.O., Thiruvankulam
3. K.J.Thomas
Postal Assistant Ernakulam attached to
Mail Motors Service, Kochi - 682 016
4. M.P.Babu
Postal Assistant , Eroor P.O
Residing at : Mattappallil House
Mulathuruthy P.O. : **Applicants**

(By Advocate Mr. P.C.Sebastian)

Versus

1. The Director General of Posts
Department of Posts
Dak Bhawan, New Delhi
2. Union of India represented by Secretary
to Union of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
North Block, New Delhi - 110 001
3. The Senior Superintendent of Post Offices
Ernakulam Division, Kochi - 682 011
4. The Superintendent
Kerala Circle Stamp Depot
Ernakulam, Kochi - 682 020
5. The Manager
Mail Motors Service
Ernakulam, Kochi : **Respondents**

(By Advocate Mrs. Mariam Mathai, ACGSC)

The application having been heard on 23.01.2007, the Tribunal on the same day delivered the following :

ORDER

HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER

Heard the parties at length. According to the learned counsel for applicant, by virtue of order dated 17.05.2000 (Annexure A-10) the TBOP/BCR Schemes prevalent in the Postal Department have been practically brought at par with ACP Scheme with the difference of four years of eligibility for Postal Department to derive the first placement benefit and two years to derive the second placement benefit. This, according to them is highly discriminatory.

2. The learned counsel for respondents submitted that the decision to continue the TBOP/BCR Scheme even after the introduction of ACP has been taken by the Department as the same had been agreed to by the Unions,

3. It is not exactly known to the parties as to whether at the time such acceptance was given by the Union the order dated 17.05.2000 already came into existence. The learned counsel for applicant seeks permission to withdraw this Original Application with liberty to file a fresh OA after ascertaining the above situation and if so advised. Permission is granted.

[Signature]

4. OA is dismissed as withdrawn with liberty to file a fresh OA as stated above. No costs.

Dated, the 23rd January, 2007.

N.Ramakrishnan
N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER

K.B.S.Rajan
K.B.S.RAJAN
JUDICIAL MEMBER

vs