

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 615 OF 2010

Thursday, this the 16th day of February, 2012

CORAM:

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

Reginold
Assistant Superintendent of Post Offices (Retired)
Changanassery Sub Division, Changanassery
Residing at Forms Villa No.12
Shakthan Thampuran Nagar
Trichur – 680 001 ... Applicant

(By Advocate Mr. M.R.Hariraj)

versus

1. Union of India represented by the Secretary
to Government of India
Department of Posts
New Delhi
2. Director General of Posts
Dak Bhavan
New Delhi
3. Chief Post Master General
Kerala Circle
Trivandrum
4. Superintendent of Post Offices
Trichur Division
Trichur ... Respondent s

(By Advocate Mr. A.D.Raveendra Prasad, ACGSC)

The application having been heard on 16.02.2012, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER

The applicant retired as Assistant Superintendent of Post Offices
on 01.09.2009 voluntarily on medical grounds. This OA is filed for a
direction to the respondents to consider his application for promotion to PS



Group B with effect from the date of promotion of his juniors with all consequential benefits including arrears of pay, pension etc. and interest at 12%.

2. According to him, he was promoted as Assistant Superintendent of Post Offices on regular basis and later his health condition deteriorated from May, 2008 onwards and he had to proceed on medical leave and he could work continuously only for a short period till 01.09.2009 when he voluntarily retired. Meanwhile he came to know that some of his juniors were given ad-hoc promotion. Such ad-hoc promotion is made over looking the claim of the seniors in Annexure A-1. So he made a representation on 15.07.2009 expressing his willingness to work in the cadre of PS Group B. It must be remembered that by then he had already given his application for voluntary retirement. The respondents had pointed out in the reply statement that ad-hoc promotion was first offered to the applicant which he declined to accept as is evident from Annexures R-10 and R-11. As he was under medical treatment he declined to accept the offer. Subsequently, when his juniors were given regular promotion, he had already submitted his application for voluntary retirement. It is in these circumstances, he could not be promoted.

3. We find that the applicant had voluntarily retired from service on health grounds. During his service he had been offered ad-hoc promotion before his juniors were offered. It is only after he declined the offer, that the same was given to his juniors at that relevant point of time. He had already voluntarily retired by that time.



4. In such circumstances, we find no legal grievance to be redressed by filing this OA. We find no merit in the OA and the same is dismissed. No costs.

Dated, the 16th February, 2012.


K GEORGE JOSEPH
ADMINISTRATIVE MEMBER


JUSTICE P.R.RAMAN
JUDICIAL MEMBER

VS