

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO.66 OF 2008

Friday, this the 17th day of October, 2008.

CORAM:

**HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Dr. K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

1. P.N.Valsamma
Postman, Aluva Head Post Office
Residing at Aswathi Bhavan,
Kaninadu P.O, Vadavucode,
Ernakulam District
2. K.M.Poulose
Postman, Perumbavoor Head Post Office
Residing at Karikuzhy House, Pralayikad
Thuruthy, Kuruppumpady
3. K.N.Shaji
Postman, Kizhakkambalam P.O
Residing at Kavalakkal house
Vengola P.O, Perumbavoor
4. D.R.Vijayan
Postman, Kuruppumpady P.O.
Residing at Devassery House
Malippara P.O., Kothamangalam

Applicants

(By Advocate Mr. P.C.Sebastian)

v.

1. The Senior Superintendent of Post Offices
Aluva Division, Aluva - 683 101
2. The Postmaster General
Central Region
Kochi - 682 018
3. The Union of India represented by
Secretary to Government of India
Ministry of Communications
Departments of Posts, New Delhi

Respondents

(By Advocate Mr. M.M.Saidu Muhammed, ACGSC)

The application having been heard on 17.10.2008, the Tribunal
on the same day delivered the following:



ORDER**HON'BLE Mr. GEORGE PARACKEN, JUDICIAL MEMBER**

The four applicants who filed this joint OA are the candidates who have passed the examination to the cadre of Postman held on 24.11.2002 as per Annexure A-2 letter No.BB 52/2002 dated 29.12.2003 issued by the 1st respondent, viz., Superintendent of Post Offices, Aluva Division. The rest of the persons in the said Annexure A-2 letter viz., Smt. C.K.Omana Antharjanam, Smt.M.Y.Nalinakumari, S/Shri N.P.Varghese, P.D.Pathrose and P.K.Ramesan had earlier approached this Tribunal in OA 620/03. The said OA was allowed by this Tribunal on 07.07.2006 and the operative portion of the same is as under :-

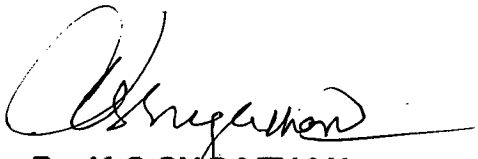
" In the end, the OA succeeds. It is declared that the applicants 2 to 6 are deemed to have been appointed as Postman w.e.f.30.01.2003 and their pay be fixed notionally in the scale of Rs.3050-4590 while actual pay would be from the date they have assumed their charges. Their seniority shall also be accordingly fixed (of course, junior to those already appointed against the merit quota). The consequential relief viz., fixation of pay at higher stage on the date they have assumed the charges, payment of arrears of pay and allowances arising therefrom and annual increments, entitlement to pension as per the rules prevalent as on 30.01.2003 would all accrue. Respondents shall accordingly pass suitable orders for fixation of pay and allowances and make available the arrears of pay and allowances to the applicants 2 to 6 within a period of four months from the date of communication of this order."

2. The respondents have challenged the aforesaid order before the Hon'ble High Court of Kerala in W.P.(C) No.6555/07. Since there was no stay granted to the said order of this Tribunal, the respondents themselves have implemented the aforesaid order of this Tribunal vide Annexure A-7 letter dated 11.01.2008 subject to the outcome of the aforesaid writ petition.



3. Since the applicants in this OA are similarly placed as those of the applicants in OA 620/03 (supra), the directions of this Tribunal in the order thereof shall equally apply to the applicants in this OA also. Respondents are, therefore, directed to treat the Applicants in this OA in the same manner as they have done with regard to the applicants in OA 620/03 (supra). Necessary orders shall be issued as early as possible and in any case, within a period of one month from the date of receipt of a copy of this order. There shall be no order as to costs.

Dated, the 17th October, 2008.


Dr. K.S.SUGATHAN
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

VS