

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.106/2002

Friday this the 8th day of February, 2002

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.Krishnan Kutty,
S/o Kesavan Asari,
Carpenter (Group C)
Postal Stores Depot,
Thiruvananthapuram,
residing at Krishnagiri,
Punnakkamukil, Aramada,
Thiruvananthapuram.

...Applicant

(By Advocate Mr. Vishnu S.Chempazhanthiyil)

V.

1. Superintendent,
Postal Stores Depot,
Thiruvananthapuram.
2. Chief Postmaster General,
Kerala Postal Circle,
Thiruvananthapuram.
3. Director General,
Postal Department,
New Delhi.
4. Union of India, represented by its
Secretary,
Ministry of Communications,
New Delhi.

...Respondents

(By Advocate Mr. C. Rajendran, SCGSC)

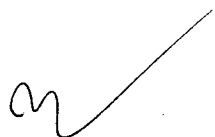
The application having been heard on 8.2.2002, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant who commenced service as a Carpenter in the Office of the 1st respondent on 10.8.72 and was given an in situ promotion with effect from 1.8.94 made representation claiming that he is entitled to the benefit under the Assured Career Progression Scheme (ACP Scheme for short) by making Annexure.A4

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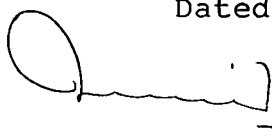


representation inviting attention of the authorities to the clarification contained in the OM No.35034/1/97.Estt(D) (Vol.IV) dated 9.8.99 of the Ministry of Personnel, Public Grievances. Finding no response he submitted a reminder on 12.11.2001 to the Chief Postmaster General (A5). Finding that even after reminder the second respondent has not taken care to redress the grievance of the applicant, the applicant has filed this application for a declaration that he is entitled to be granted the benefit under the ACP Scheme and direct the respondents to grant him promotion accordingly. Alternatively the applicant has prayed for a direction to the second respondent to consider and pass orders on Annexures A4 and A5.

2. Shri C.Rajendran, SCGSC took notice on behalf of the respondents. Learned counsel appearing on either side agree that the application may be disposed of directing the second respondent to consider Annexure.A4 and A5 representations in the light of the clarification contained in Annexure.A3 and to give the applicant an appropriate reply within a short period.

3. In the light of the above submission of the learned counsel on either side, the application is disposed of directing the second respondent to consider Annexures.A4 and A5 representations in the light of the clarification contained in Annexure.A3 and to give the applicant an appropriate reply within a period of six weeks from the date of receipt of a copy of this order. No costs.

Dated the 8th day of February, 2002



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of order No.B/41/ dated 10.8.1972 of the 1st respondent.
2. A-2: True copy of memo No.PSD/OA/224/98 dated 9.9.1998 of the 1st respondent.
3. A-3: True copy of letter F.No.35034/1/97 Estt.(D) (Vol.IV) dated 10.2.2000 of the Govt. of India, Ministry of Personnel, Public Grievances & Pensions.
4. A-4: True copy of the representation dated 22.11.2000 to the 2nd respondent.
5. A-5: True copy of the representation dated 12.11.2001 to the 2nd respondent.

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12.02.02