

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. No. 215 OF 2005

Thursday, this the 8th day of December, 2005.

CORAM:

**HON'BLE Mr. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE Mr. N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

V.N.Radhasaran

Grade I, Driver

O/o The Superintendent of Post Offices

Alapuzha Division, Alapuzha – 688 012

: Applicant

(By Advocate Mr P.C.Sebastian)

Vs.

1. **The Chief Postmaster General
Kerala Circle, Thiruvananthapuram
Pin – 695 033**
 2. **The Director of Postal Services (HQ)
O/o the Chief Postmaster General
Kerala Circle, Thiruvananthapuram**
 3. **The Assistant Postmaster General (staff)
O/o the Chief Postmaster General, Kerala Circle
Thiruvananthapuram – 695 033**
 4. **Union of India represented by the Secretary
Ministry of Communication
Department of Posts, Dak Bhawan
New Dwelhi**
- : Respondents**


(By Advocate Mr. T.P.M.Ibrahim Khan, SCGSC)

The application having been heard on 08.12.2005, the Tribunal on the same day delivered the following:

ORDER (Oral)

HON'BLE Mr. K.V.SACHIDANANDAN, JUDICIAL MEMBER

Aggrieved by the denial of promotion in terms of the promotional scheme for Staff Car Drivers with graded structure of pay issued by the Government of India vide Department of Personnel and Training O.M dated 27.07.1995, the applicant has filed this O.A seeking the following main reliefs:-



(i) To call for the files leading to the issue of Annexures A-7 and A-9 and quash them.

(ii) To declare that applicant is entitled to be promoted to Grade I with effect from the date on which he completed 15 years of combined service in ordinary grade and Grade II in terms of clause 2-3 (C) of Annexure A-3 rules.

(iii) To direct the respondents to extend the benefit of Annexure A-3 rules to the applicant by granting promotion to Grade I with effect from 30.01.1999 with all consequential benefits.

2. Mr.P.C.Sebastian, learned counsel appeared for the applicant and Mr. T.P.M.Ibrahim Khan, SCGSC appeared for the respondents.

3. When the matter came up for hearing today, the learned counsel for respondents submitted that he has filed a statement, in which Para 3 reads as follows:-

" In this connection it is submitted that as per the DOPT O.M No. 22036/1/92-Estt (D) dated 27.07.1995, the applicant is eligible for Grade I promotion with effect from 30.01.1999 i.e the date on which he completed 15 years of combined service in ordinary grade and Grade II in term,s of Annexure A-3. Under such circumstances, the grievances of the applicant will be redressed. Hence the above Original Application becomes infructuous and it is liable to be dismissed."

4. The learned counsel for respondents submitted that they have no objection in adopting such a course of action as mentioned in Para 3 above.


5. In the interest of justice, we are of the view that it will suffice the situation. The above submission is recorded. The respondents are directed to grant the relief to the applicant within three weeks from the date of receipt of a copy of this order in tune with the admission made in the statement.

6. The OA is disposed of as above.

Dated, the 8th December, 2005.



N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER