

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. NO. 351/94

Wednesday, this the 2nd day of March, 1994

SHRI N. DHARMADAN, MEMBER (J)  
SHRI P.V.VENKATAKRISHNAN, MEMBER (A)

N.S.Balakrishna Pillai,  
ED Sub-Postmaster,  
Thannithodu,  
Pathanamthitta.

.. Applicant

By Advocate Shri Babu Cherukara.

V/s

1. Union of India, rep. by  
Secretary, Postal Department,  
New Delhi.
2. The Director General of Postal  
Services, New Delhi.
3. The Chief Postmaster General,  
Kerala Circle, Trivandrum.
4. The Senior Superintendent of  
Post Offices, Pathanamthitta  
Division, Pathanamthitta.

.. Respondents

By Advocate Shri C.Kochunni Nari, SCGSC.

ORDER

N. DHARMADAN

Applicant is working as EDSPM, Thannithodu Post Office in the Pathanamthitta district. He filed earlier original application No.915/93 along with two other EDSPMs and obtained Annexure-AI judgment dated 1.11.93. Pursuant to the directions in the judgment applicant filed Annexure-III representation before the first respondent for getting parity of pay. That representation has not been disposed of. In the meanwhile a proposal for upgrading the post office, in which the applicant is working, was made by the fourth respondent. According to the applicant, the proposal, if implemented, would result in drop-in

emoluments and he is entitled to be posted as EDSPM either in the upgraded Post Office or any other Post Office subject to the convenience of the Department. He filed Annexure A-IV representation. This representation has not been disposed of. Hence, he filed this original application under Section 19 of the Administrative Tribunals Act for quashing Annexure-AI proposal for upgradation of the Post Office.

2. When the application came up for admission, the learned counsel for respondents filed a brief statement in which it is stated that the first respondent accorded sanction to upgrade the Post Office into Departmental Sub-Post Office with the following posts:-

"1. Time Scale SPM	- 1
2. EDDAs	- 2
3. ED Packer	-1 "

They have also stated that the applicant would be retrenched.

3. Having heard the learned counsel on both sides, we are satisfied that the application can be disposed of at the admission stage itself with appropriate directions.

4. Respondents 1 & 4 before whom the representations Annexures A-III and A-IV are pending shall consider and dispose of the same in accordance with law within a period of two months from the date of receipt of a copy of this order.

5. Applicant submitted that he is entitled to protection of pay as EDSPM in case he is appointed as ED Packer. If the applicant is anxious to protect his pay after upgradation of the Post Office, he may move for getting proper direction; this order will not stand in the

way of the applicant's right to move the authorities in this behalf.

6. The application is disposed of as above. There will be no order as to costs.

*P Venkatakrishnan*

( P.V.VENKATAKRISHNAN )  
MEMBER (A)

*N Dharmadan*

( N.DHARMADAN )  
MEMBER (J)

2.3.94

v/-