

49

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.587/95

dt.6-11-97

Between

and

1. Postmaster
Vijayawada HO
Vijayawada 520001

2. Sr. Supdt. of Post Offices
HPO Bldg.
Vijayawada 520001
3. Postmaster General
Vijayawada 520002

4. Chief Postmaster General
AP Circle, Hyderabad 500001

5. Director General (Posts)
(reptg. Union of India)
New Delhi 110001

: Respondents

Counsel for the applicant

: C. Suryanarayana
Advocate

Counsel for the respondents

: K. Bhaskar Rao
CGSC

CORAM

HON. MR. B. S. DANGARALIAN MEMBER (ADMN.)
HON. MR. B. S. JAI PARAMESHWAR, MEMBER (JUDL.)

D

Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn.))

Heard Sri C. Suryanarayana for the applicant and Sri K. Bhaskar Rao for the respondents.

1. The applicant was enrolled in Army Ordnance Corps in active service as Sepoy Clerk on 25-3-1963 (Annexure A.1). He served as Sepoy Clerk, Group-B, Class-I, after serving for seven years eleven months and 15 days without getting any relief from the Army. Subsequently, he was appointed as T/S Clerk (presently designated as Postal Assistant) in Postal Department on 24-7-1973 on a pay of Rs.110/- p.m. in the appropriate scale of pay. He submitted a representation (Annexure A.2) dated 22-3-1991 for fixing his pay as per FR 27 at the time of his initial appointment in the present cadre, taking due note of his Army service while fixing his pay. It is stated that the applicant submitted a number of representations for fixing his pay accordingly but it is stated that no reply has been given to him.

2. This OA is filed praying for a declaration that he is entitled to the benefit of counting his military service both for the purpose of determining his seniority as Postal Assistant as well as his pay fixation by granting one increment for every year of his military service and also for all other consequential and incidental benefits including arrears of pay on account of the same besides fixation of his pension, gratuity, etc. on the basis of the seniority so fixed.

3. From the above reliefs, the applicant prays for :

- i) Fixation of his pay,
- ii) Fixation of seniority, and
- iii) Fixation of pension and other benefits taking due note of his earlier military service.

4. OA can be filed only for a single relief. Multiple reliefs cannot be given in single OA. Hence, this OA is detained for the purpose of fixation of his pay while he can be given the other two reliefs, the applicant may submit a suitable representation to the concerned authorities.

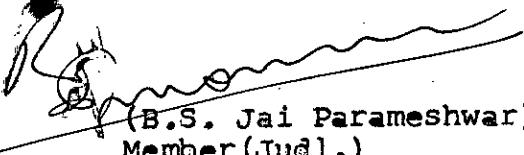
5. In OA.1281/94, which was disposed of on 28-6-1996 similar case had arisen. In that OA also the applicant was an Ex-Serviceman released from the Army and joined as Postal Assistant. He also prayed for fixation of pay by granting one increment for every year of his military service. After considering all the contents in that OA raised by both sides, a suitable direction was given for the reasons stated in that OA. As this OA is also similar one, this OA ~~also has to~~ be disposed of on the same lines as OA.1281/94 for the reasons stated in that OA.

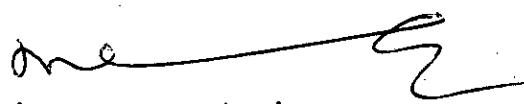
6. In view of what is stated above, this OA is disposed of as below :

This OA is allowed and it is directed to fix the applicant's pay when he joined as Postal Assistant, at a higher stage granting him the number of increments equal to the number of completed years of service in the Armed forces and to pay him the consequential arrears within a period of four months from the date of receipt of this order. The Department should also permit him to refund

the pension if any and pension equivalent amount received
the
from Army.

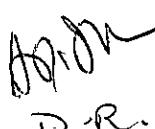
7. The OA is ordered accordingly. No costs.


(B.S. Jai Parameshwar)
Member (Judl.)


(R. Rangarajan)
Member (Admn.)

6.

Dated : November 6, 97
Dictated in Open Court


D.R.


sk

.4..

Copy to:

1. The Postmaster, Vijayawada HQ, Vijayawada.
2. Sr,Supdt. of Post Offices, HPO Buildings, Vijayawada.
3. Postmaster General, Vijayawada.
4. -----, -----, -----.
5. Director General (Posts), New Delhi.
6. One copy to Mr.C.Suryanarayana, advocate,CAT,Hyderabad.
7. One copy to Mr.K.BhaskaraRao,Addl.CGSC,CAT,Hyderabad.
8. One copy to D.R(A),CAT,Hyderabad.
9. One duplicate copy.

13/11/97
9
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD

AND

THE HON'BLE SHRI B.S.JAI PARAMESHWAR :
M (J)

Dated: 6/11/82

ORDER/JUDGMENT

M.A/R.A/C.A.NO.

in
O.A.NO. 587/85

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

