

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

O.A.No.619/1995.

Date of decision: 21-1-1998.

### Between:

B. Suryanarayana Rao. Applicant.  
and

1. The Union of India represented by the  
New-Delhi-Department of Posts, Dak Bhavan,
2. The Member (Personnel) Office of the Director-General,  
Department of Posts, Dak Bhavan, New Delhi.
3. The Chief Postmaster General, A.P.Circle, Hyderabad 500001.
4. The Postmaster General, Hyderabad Region,  
Hyderabad 500001. Respondents.

Counsel for the applicant: Sri J.V.Lakshmana Rao.  
Counsel for the respondents:Sri T.V.V.S.Murthy.  
Sri N.R.Devaraj.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parameshwar, Member (J)

## JUDGMENT.

Sri T.V.Tarakeshwar Rao and  
Sri T.V.S.S.Murthy for the applicant and Sri N.R.Devaraj  
for the respondents.

The applicant in this O.A., while working as Inspector of Post Offices was compulsorily retired from service on 1-11-1971. He was reinstated ~~XXXXXX~~

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with back wages with effect from 20-4-1988 as per the  
Hon'ble  
Judgment of the High Court in his favour. The applicant  
was paid all the back-wages from 1971-1988. The period  
from 1971 to 1988 was also treated as <sup>on-</sup> duty. The only  
grievance of the applicant in this O.A., is that he  
should also beeen promoted to higher grade on par with  
his ~~as~~ juniors in view of his reinstatement in 1988  
and that he also be paid back-wages, treating the period

This O.A., is filed praying for directions to the respondents to consider the promotions due to him during the period from 1-11-1971 to 31-12-1971, review DPCs for the purpose and promote him notionally to the next higher cadres of the Assistant Supdt. or Post Offices, PSS Group 2, Junior Class I, Senior Class I with effect from the date/dates his next juniors were promoted with all consequential ~~service and increments~~, benefits such as payment of arrears due, revision of pension, Death-cum-Retirement Gratuity, encashment of leave etc., with interest at 18% per annum.

following was submitted by the learned counsel for the respondents, under instructions from his clients.

iii) The case of the applicant for further promotion could not be finalised as in the meantime the O.A., had been filed and hence the whole issue abated. Further he submits that the promotion of the applicant to the higher grade/grades will be considered on par with his juniors in accordance with the rules if he is found fit - - pay~~tion~~ by the Review DPCs., and his ~~pay~~ in the promoted grade/grades will be fixed on par with his juniors.

This is subject to the recommendations of --- in the first instance.

iv) His pay on notional promotion to the higher Grade/Grades will also be fixed notionally on par with his juniors

v) His final pension will be ~~accorded~~ of the last notional pay drawn by him as he has already ~~been~~ retired from service.

In view of the above submissions of the respondents, no further orders/directions are necessary as the respondents themselves are willing to comply with the request made by the applicant in this O.A.

We make it clear that the above submissions made by the respondents should be complied ~~within~~ within five months from the date of receipt of a copy of this Order. We ~~will~~ also make it clear that the applicant is not

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on the basis of last normal pay fixed  
at the time of retirement  
entitled for gratuity or leave encashment or any interest  
at the time of retirement as the payment of gratuity, payment  
of leave encashment etc., are/one time ~~basic~~ <sup>at</sup> payment.

The O.A., is disposed of noting the submissions  
of the respondents. No costs.

18/1/98

B.S.JAI PARAMESHWAR,  
Member (J)

R. RANGARAJAN,  
Member (A)

Date: 21-1-1998.

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Dictated in open Court.

Amith  
21-1-98

sss.

DA.619/95

**Copy to:-**

1. The Secretary, Department of Posts, Dak Bhavan, New Delhi.
2. The Member (Personnel), O/o The Director General, Department of Posts, Dak Bhavan, New Delhi.
3. The Chief Postmaster General, A.P.Circle, Hyderabad.
4. The Postmaster General, Hyderabad Region, Hyderabad.
5. One copy to Mr. J.V.Lakshmana Rao, Advocate, CAT., Hyd.
6. One copy to Mr. T.V.V.S.Murthy, Advocate, CAT., Hyd.
7. One copy to Mr. N.R.Devaraj, Sr.CGSC., CAT., Hyd.
8. One copy to D.R.(A), CAT., Hyd.
9. One duplicate.

**srr**

7/2/98  
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TYPED BY  
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CHECKED BY  
APPD VED GY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

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

DATED: 21/1/98

M.A./R.A./C.A./N.D.

in  
C.A.NO. 619/95

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal

डेस्पैच/DESPATCH

29 JAN 1998

हैदराबाद न्यायपीठ  
HYDERABAD P