

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.1419/97

Between:

Dt. of Order: 28.10.97.

P.Jayalakshmi Parthasarathi

...Applicant.

And

1. Director General, Dept. of Posts, New Delhi.
2. Chief Postmaster General, A.P., Postal Circle, Hyderabad.

...Respondents.

Counsel for the Applicant : Mr.K.S.R.Anjaneyulu,

Counsel for the Respondents : Mr.J.R.Gopal Rao

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

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

THE TRIBUNAL MADE THE FOLLOWING ORDER:

Mr. D.Subrahmanyam for Mr.K.S.R.Anjaneyulu, for the applicant and Mr.Phalguna Rao for Mr.J.R.Gopal Rao for the respondents.

ADMIT. The recovery if any to be made due to the refixation of the pay is suspended until further orders.

  
DEPUTY REGISTRAR (J)

85  
..2..

Copy to:

1. Director General, Dept. of Posts, New Delhi.
2. Chief Postmaster General, A.P., Postal Circle, Hyderabad.
3. One copy to Mr. K.S.R. Anjaneyulu, Advocate, CAT, Hyderabad.
4. One copy to Mr. J.R. Gopal Rao, Addl. CGSC, CAT, Hyderabad.
5. One duplicate copy.

YLKR

cc today

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

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

Dated: 28/10/82

ORDER/JUDGMENT

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

in

O.A.NO. 1418/82

Admitted and Interim Directions  
Issued:

Allowed

Disposed of With Directions

Dismissed

Dismissed as withdrawn

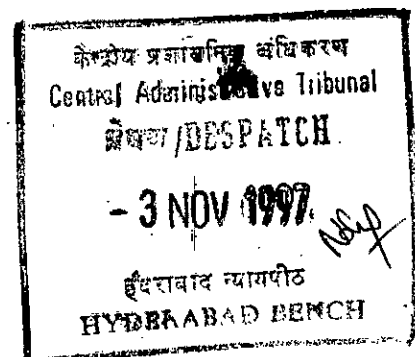
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court



37

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH  
AT HYDERABAD

O.A. No. 1419 of 1997

Between :

Mrs. Jayalakshmi Parthasarathy

... Applicant

And

Union of India  
Rep. by the Director-General,  
Department of Posts,  
New Delhi; and

Chief Postmaster-General,  
Hyderabad

... Respondents

REPLY STATEMENT FILED ON BEHALF OF RESPONDENTS


I, H. Seshagiri Rao, s/o Narasimha Murthy, aged about 57 years, occupation : Government service, resident of Hyderabad; do hereby solemnly affirm and state as follows :

1. I am working as Assistant Postmaster-General (S & V) in the office of the Chief Postmaster-General, A.P. Circle, Hyderabad (Respondent No. 2) and as such I am fully acquainted with all the facts of the case. I am filing this Reply Statement on behalf of all the Respondents herein as I am authorised to do so.

2. I have gone through the Application filed by the Applicant herein and I submit that the material allegations made therein are not true and did not disclose any valid or tenable ground to grant the relief prayed for in the

  
ATTESTOR

सहायक लेखा अधिकारी (बजट)  
Assistant Accounts Officer (Budget)  
मुख्य पोस्टमास्टर जनरल का कार्यालय  
Office of the Chief Postmaster General,  
जो. प्र. परिमंडल, हैदराबाद-500 001.  
A.P. CIRCLE, HYDERABAD-500 001.

  
DEPONENT  
Asst. Postmaster General (S. & V.)  
O/o. Chief Postmaster General,  
A.P. Circle, Hyderabad-500 001.

O.A. The material allegations which are not specifically admitted herein shall be deemed to be denied by the Respondents.

3. In regard to the averments made in para-1 of the O.A., it is submitted that the fixation was done as per the clarification issued vide Directorate letter No. 2-15/93-PE.I, dated 5.5.95 (Annexure-4 to O.A) the resultant over payment has not been recovered so far and kept pending. It is submitted that the applicant's representation dated 22.12.95 has been forwarded to the Directorate by Respondent No. 2 through letter No. Accts/SB/TBOP/BCR/Rlgs/Cor/95, dated 10.1.96 as the decision has to be taken by the Directorate, for which no reply has been received.

4. In regard to the averments made in para-2 of the O.A., it is submitted that they are formal and does not call for any reply.

5. In regard to the averments made in para-3 of the O.A., it is submitted that as the re-fixation is pending from a long time the same has been done in the August 97 as per the existing orders on the subject. There is no need for issue of notice in implementation of the existing rulings.

6. In regard to the averments made in paras 4(1) to 4(7) of the O.A., it is submitted that they do not call for any remarks.

7. In regard to the averments made in para-4(5) of the O.A., it is submitted that the pay fixation has been done

  
ATTESTOR

सहायक लेखा अधिकारी (बजट)  
Assistant Accounts Officer (Budget)  
मुख्य पोस्टमास्टर जनरल का कार्यालय  
Office of the Chief Postmaster General,  
आ.प्र. परिमंडल, हैदराबाद- 500 001.  
A.P. CIRCLE, HYDERABAD-500 001.

  
DEPONENT

Asst. Postmaster General (S. & V.)  
O/o. Chief Postmaster General,  
A.P. Circle. Hyderabad-500 001.


only in accordance with the orders issued vide Directorate letter No. 2-15/93-PE.I, dated 5.5.95 (Annexure-4 to O.A.).


8. In regard to the averments made in paras - 5(1) to 5(3) of the O.A., it is submitted that re-fixation has been done as per the clarification issued vide Directorate's letter No. 2-15/93-PE.I, dated 5.5.95. It is submitted that as per the Directorate's clarificatory orders only the officials who have not completed 16 years of service are to be brought into the cadre of P.A., the officials who have completed 16 years / 26 years of service, their pay has to be fixed directly in L.S.G ( T.B.O.P / H.S.G-II (B.C.R)).

9. In regard to the averments made in Para-5(4) of the O.A., it is submitted that no excess payment is recovered.

10. In regard to the averments made in para-6 of the O.A., it is submitted that the representation dated 22.12.95 has been forwarded to the Directorate by Respondent No. 2 through letter No. Accts/SB/TBOP/BCR/Rlgs/Cor/95, dated 10.1.96 and reminders were sent on 6.9.96, 21.1.97 and on 22.4.97. The reply is awaited.

11. In regard to the averments made in paras-7 to 12 of the O.A., it is submitted that they do not call for any remarks.

  
**ATTESTOR**  
 सहायक लेखा अधिकारी (बजट)  
*Assistant Accounts Officer (Budget)*  
 मुख्य पोस्टमास्टर जनरल का कार्यालय  
*Office of the Chief Postmaster General,*  
 ऑ.प्र. परिमंडल, हैदराबाद-500 001.  
**A.P. CIRCLE, HYDERABAD-500 001.**

  
**DEPONENT**  
 Asst. Postmaster General (S. & V.)  
**O/o. Chief Postmaster General,**  
**A.P. Circle, Hyderabad-500 001.**

In view of the foregoing submissions, it is clear that the applicant has failed to make out a case for grant of the relief prayed for. There are no merits either on facts or in law warranting any interference by this Honourable Tribunal. It is, therefore, prayed that the Honourable Court may be pleased to dismiss the O.A. with costs.

*K. Rao*

DEPONENT

Asst. Postmaster General (S. & V.)  
O/o. Chief Postmaster General,  
A.P. Circle, Hyderabad-500 001.

Sworn and signed before me  
on this the 26<sup>th</sup> day June, 98  
at Hyderabad.

*M. S. Rao*  
ATTESTOR

सहायक लेखा अधिकारी (बजट)  
Assistant Accounts Officer (Budget)  
मुख्य पोस्टमास्टर जनरल का कार्यालय  
Office of the Chief Postmaster General,  
आ.प्र. परिमंडल, हैदराबाद-500 001.  
A.P. CIRCLE, HYDERABAD-500 001.

BRM\*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD

O.A. No. 1419 of 1997

Between :

Mrs. Jayalakshmi P. Parthasarathy  
... Applicant

And

Union of India  
Rep. by the Director-General,  
Department of Posts,  
New Delhi; and

Chief Postmaster-General,  
Hyderabad

... Respondents

Filed on :



Filed by : J.R. Gopal Rao,  
Addl. C.G.S.C.

*Service on  
Deputy Secy*

*Copy filed  
14.7.98*



42

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

O.A.No.1419 OF 1997.

DATE OF ORDER:10-3-1999.

BETWEEN:

P.Jayalakshmi Parthasaradhy. ....Applicant

s n d

Union of India, represented by:

1. Director General, Department of  
Posts, New Delhi.
2. Chief Post Master General,  
A.P.Postal Circle, Hyderabad.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.KSR.Anjaneyulu

COUNSEL FOR THE RESPONDENTS :: Mr.J.R.Gopal Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A) )

Heard Mr.D.Subrahmanyam for Mr.KSR.Anjaneyulu,  
Ms.Shakti for  
learned Counsel for the Applicant and /Mr.J.R.Gopal Rao,  
learned Standing Counsel for the Respondents.

.....2

2. The applicant in this OA was originally appointed as Postal Assistant on 13-5-1977. She was subsequently promoted as UDC after passing through the Departmental examination. She was working as UDC in the office of R-2. Her pay fixed as on 25-6-1993 was Rs.1,440/- in the scale of pay of Rs.1200-2040/-. A Scheme called 'Time Bound One Promotion' and 'Biennial Cadre Review' was introduced, vide Memorandum No.ST/47-5/CO/TBOP/93, dated:4-8-1993. That Scheme came into operation with effect from 26-6-1993. The details of the Scheme were given in the Directorate's letter No.4-12/88-E-1, dated: 22-7-1993, enclosed as Annexure.1 to the OA.

3. The contention of the applicant is that the LOCs/UDCs, who are in the scale of pay of Rs.950-1500/- and Rs.1200-2040/-, were first to be brought to the cadre of Postal Assistant in the scale of Rs.950-1500/-, and then they should be given One Time Bound Promotion if they have completed 16 years of service and promotion under BCR Scheme, if they have completed 26 years of service.

4. The applicant in this OA, when the Scheme was introduced, was qualified under the One Time Bound Promotion Scheme. She has given her option to come to the cadre of Postal Assistant and also for further promotion on the basis of the BCR Scheme introduced by letter dated:4-8-1993.



.....3

44

5. The case of the applicant is that, she should first be posted as Postal Assistant in the scale of Rs.975-1660/- and immediately afterwards as she had completed 16 years of service, she should have been posted to the scale of pay of Rs.1400-2300/-, as LSG-appointee. The respondents instead of fixing her pay as a Postal Assistant in the scale of pay of Rs.975-1660/- in the first instance and then re-fixing her pay in the scale of pay of Rs.1400-2300/- as per the Scheme, as she was entitled for both the posts due to her option with effect from 26-6-1993, she was fixed in the scale of pay of Rs.1400-2300/- directly from the lower scale of UDC i.e., Rs.1200-2040/-. Thus she was deprived of monetary benefits in the pay fixation. The applicant admits that her pay in the cadre of Postal Assistant in the scale of Rs.975-1660/- should be fixed under FR 22(1)(a)(i) i.e., ~~without~~ fixation of pay as if she has not shouldered ~~her~~ higher responsibilities. Thereafter, she should be fixed in the higher scale of Rs.1400-2300/- as LSG under FR-22(1)(a)(i). As the Respondents have not followed the above procedure, she was put to a monetary dis-advantage. She had submitted her representation addressed to R-1, dated:22-12-1995. It is stated that the said representation has not been replied so far.

6. Aggrieved by the above, she has filed this DA praying for a direction to the respondents to fix her pay first in the scale of pay of Rs.975-1660/- as Postal Assistant and then re-fix her pay in the scale


*[Handwritten signature]*

of pay of Rs.1400-2300 as LSG and pay her the arrears on that basis.

7. This OA is also similar to the earlier OA disposed of today i.e., OA.No.1420 of 1997 and OA.No.1421 of 1997. Following the above Judgment, the following direction is given:-

"The pay of the applicant should be fixed in the scale of pay of Rs.975-1660/- as Postal Assistant and then her pay should be re-fixed in the higher scale of Rs.1400-2300/-, if she had completed 16 years of service as on the date of introduction of the Scheme i.e., on 26-6-1993. Arrears, if any, or recovery, if any, should be made on that basis."

8. The OA is disposed of. No costs.

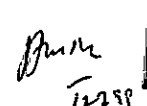
  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL)

  
(R. RANGARAJAN)  
MEMBER (ADMN)

DATED: this the 10th day of March, 1999

Dictated to steno in the Open Court

\*\*\*  
DSN

  
1238

Copy to:

1. HDHNC
2. HHRP M(A)
3. HBSJP M(J)
4. D.R. (A)
5. SPARE

1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:  
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD:  
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN :  
MEMBER (A)

THE HON'BLE MR. B. S. JAI PARAMESWAR  
MEMBER (J)

DATED: 10/3/99

ORDER/JUDGEMENT

MA./RA./CP.NO.

IN

O.A. NO. 1419/97

ADMITTED AND INTERIM DIRECTIONS  
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

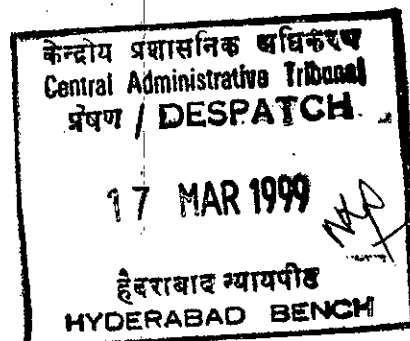
DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

6 copies



287  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

MA. No.466 of 1999

in

DA. No.1419 of 1997

Between:

Dated:1.7.99

1. The Director General,  
Department of Posts,  
New Delhi.
2. The Chief Postmaster General,  
A.P.Circle,  
Hyderabad.

.. Applicants

And

P.Jayalakshmi Parthasaradhy

.. Respondent

Counsel for the Applicants

: Mr.B.N.Sharma

Counsel for the Respondent

: Mr.KSR.Anjaneyulu

CORAM:

THE HON'BLE MR.R.RANGARAJAN : MEMBER (A)

THE HON'BLE MR.BS.JAI PARAMESWAR : MEMBER (J)

\* \* \*

THE TRIBUNAL MADE THE FOLLOWING ORDER:

Mr.M.C.Jacob for Mr.B.N.Sharma for the applicant and Mr.D. Subrahmanyam for Mr.KSR.Anjaneyulu for the respondents.

No time was given in the order for implementation.  
It should be done before 10.9.99. MA is disposed of.

*[Signature]*  
Section Officer

COPY TO:-

1. HDHND

2. HHRP M(A)

3. HBSJP M(J)

4. D.R.(A)

5. SPARE

1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR  
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD :  
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN :  
MEMBER (A)

THE HON'BLE MR. B.S. JAI PARAMESWAR :  
MEMBER (J)

ORDER: 11/7/99

ORDER / JUDGEMENT

MA./RA./SR No. 466/99

in

GA. No.

14/9/97

ADMITTED AND INTERIM DIRECTIONS  
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

O.A. CLOSED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED / REJECTED.

NO ORDER AS TO COS

SRR

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
प्रेषण / DESPATCH

-7 JUL 1999

हैदराबाद न्यायपीठ  
HYDERABAD BENCH

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.  
1st Floor, HACA Bhavan, Opp:Public Garden, Hyderabad.500004.A.P.

ORIGINAL APPLICATION NO. 1419. OF 1997.

Applicant(s) V/S

P.Jayalakshmi Parthasaradhy.

Respondent(s)

The D.G., Dept.of Posts,  
New-Delhi.& another.

By Advocate Shri:

K.S.R.Anjaneyulu.

(By/Central Govt.Standing Counsel)

To.

Mr.J.R.Gopala Rao. Addl.CGSC.

1. The Director General, Department of Posts, New-Delhi.
2. The Chief Post Master General, A.P.Postal Circle, Hyderabad.

Whereas an application filed by the above named applicant under Section 19 of the Administrative Tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

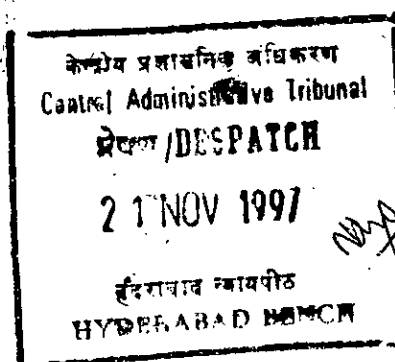
Notice is hereby given to you that if you wish to contest the application, you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his Legal practitioner within 30 days of receipt of the notice before this Tribunal, either in person or through a Legal practitioner/ Presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further Notice.

Issued under my hand and the seal of the Tribunal  
This the **Twenty Eighth,** **October,** 1997.

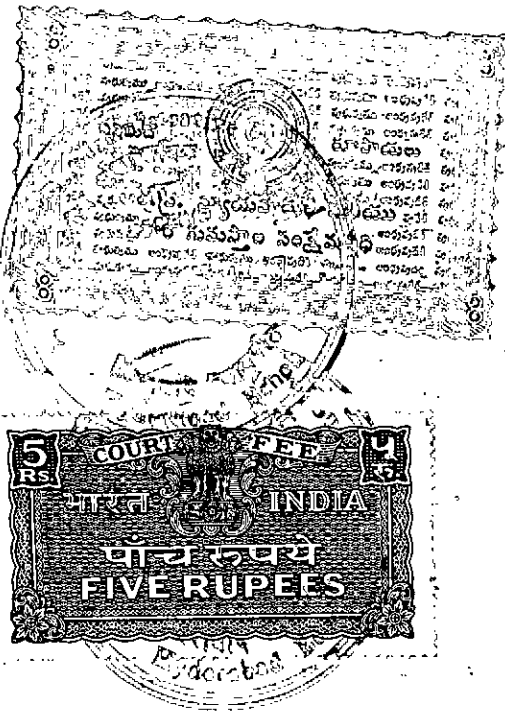
//BY ORDER OF THE TRIBUNAL//

Date: 13-11-97.

FOR REGISTRAR.







Central Administrative Tribunal :  
Hyderabad Bench at Hyderabad

O A No.

of 1997

Between

Jayalaxshmi  
Pashtasabhy ——— Applicant

and

Union of India - Ref by  
D G Poores New Delhi  
40006 A Circle  
Hyderabad ——— Respondents

**VAKALAT**

ACCEPTED

*Chh*

*Subrahmanyam*  
ADVOCATES FOR APPLICANT / RESPONDENT

Address of Service :

Phones : 7617006  
7601284

**K. S. R. ANJANEYULU  
D. SUBRAHMANYAM**

ADVOCATES

1-1-365/A, Jawaharnagar, (5th Street)  
Bakaram, Hyderabad - 500 020.

**In the Central Administrative Tribunal: Hyderabad Bench  
at Hyderabad**

O A No. 1419 of 1997

*Jayalakshmi Parthasarathy*  
~~J. Parthasarathy.~~

Applicant

VERSUS

UOI, reply Director General  
Department of P.W.D., New Delhi  
and another



Respondent

I  
We

Applicant

In the above Application do hereby appoint and retain

**K. S. R. ANJANEYULU**  
ADVOCATE

and

**D SUBRAHMANYAM**  
ADVOCATE

Advocate/s of the High Court to appear for Me/Us in the above Application and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including applications for return of documents or the receipt of any money that may be payable to Me/Us in the said Application and also to appear in all appeals, and applications under clause XV of the Letters Patent and in applications for review and for leave to appeal to the Supreme Court.

*Jayalakshmi*

I certify that the contents of the this Vakalat were read out and explained in.....in my presence to the executant, or executants who appered perfectly to understand the same and made his, or her or their signature or mark or marks in my presence.

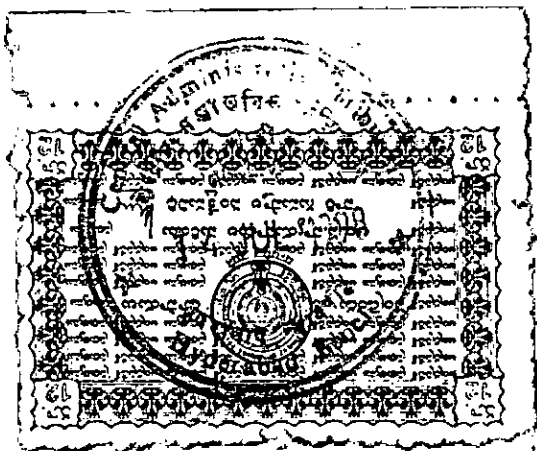
Executed before me this

21<sup>st</sup> day of

OCT

1997

*(B.S. SATYANARAYAN)*



.....District

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AT HYDERABAD**

**O.A.NO. 1419 OF 1997**

**MEMO OF APPEARANCE**

Mr. *J.R. Gopala Rao*  
.....

Counsel for *Respondents*  
.....

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD.

O.A.NO. 1419 OF 1997

Jeyalakshmi Partha Sarathy.....Applicant

Vs.

G.O. Dirp by the Director General  
Dept of Posts, New Delhi  
and another

.....Respondent

To, *1/1/98*

The Registrar  
Central Administrative Tribunal  
Hyderabad.

Sir,

Please enter my appearance in the above matter on  
behalf of the Respondent.



Hyderabad

*Pragadeesh*  
Counsel for Respondent.

Dated 3-7-98

**Central Administrative Tribunal  
Hyderabad Bench,  
Hyderabad.**



O.A. No.

1419

of 1997

MEMO OF APPEARANCE

Filed :

23/6/97

**B. NARASIMHA SHARMA**  
ADVOCATE

Senior Standing Counsel for  
Central Government

Counsel for

*Narayan*

Address for Service :

Phone : 3744965

512, Nilgiri, Aditya Enclave, Ameerpet,  
Hyderabad-500 038.

# Central Administrative Tribunal, Hyderabad Bench HYDERABAD.

O. A. No.

1419

of 199

BETWEEN

Payalaxi  
P. K. Sanyal

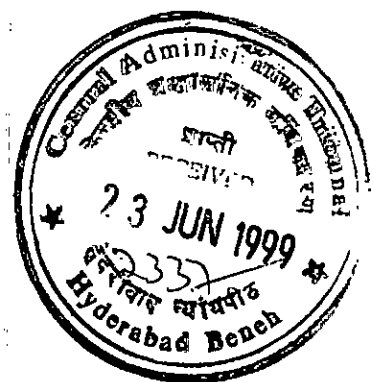
Applicant(s)

Vs.

Respondent(s)

UOD rep. DS  
Dy. Secy. P. K.  
Sanyal

## MEMO OF APPEARANCE



I, B. Narasimha Sharma, Advocate having been authorised by proceedings of Government of India in F. No. 28(5)/98-Judl. Dt. 11-12-1998 notified under Sec. 14 of the Administrative Tribunals Act, 1985, hereby appear for Applicant/Respondent No. 142 and undertake to plead and act for them in all matters in the aforesaid case.

Place : Hyderabad

Signature & Designation of the Counsel

Date : 23.6.98

**B. NARASIMHA SHARMA**  
Senior Standing Counsel for  
Central Government

Address of the Counsel for Service :  
512, Nilgiri, Aditya Enclave, Ameerpet,  
Hyderabad-500 038.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH  
AT HYDERABAD

M.A. No. <sup>466</sup>~~1419~~ of 1999

In

O.A. No. 1419 of 1997

Between :

1. Union of India,  
Rep. by  
Director-General,  
Department of Posts,  
New Delhi

2. The Chief Postmaster-General,  
A.P. Circle,  
Hyderabad ... Applicants/Respondents

And

P. Jayalakshmi Parthasaradhy ... Respondent / Applicant

APPLICATION FOR EXTENSION OF TIME UNDER RULE 8 OF C.A.T.  
PROCEDURAL RULES

For the reasons stated in the accompanying Affidavit  
it is prayed that this Hon'ble Tribunal may be pleased to  
grant extension of time for 3 months upto 30.9.99 in the  
interest of justice and pass such other orders as deemed  
necessary in the circumstances of the case.

Hyderabad, )

15.6.1999 )

) COUNSEL FOR THE ~~APPLICANTS~~/RESPONDENTS

BRM\*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH  
AT HYDERABAD

M.A. No. 466 of 1999

In

O.A. No. 1419 of 1997

Between :

Union of India  
represented by  
The Director-General,  
Department of Posts,  
New Delhi & another

... Applicants/Respondents

And

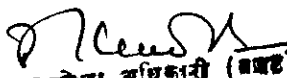
P. Jayalakshmi Parthasaradhy .. Respondent /Applicant


A F F I D A V I T

I, H. Seshagiri Rao, s/o Narasimha Murthy, aged about 58 years, occupation : Government service, resident of Hyderabad; do hereby solemnly affirm and sincerely state as follows :

1. I am working as Assistant Postmaster-General (Staff & Vigilance) in the office of the Chief Postmaster-General, A.P. Circle, Hyderabad. As such I am well acquainted with the facts and circumstances of the case. I am filing this Affidavit on behalf of the Applicants / Respondents herein and I am duly authorised to do so.

2. In the above O.A., the Honourable Tribunal vide order dated 10.3.1999 directed the authorities to fix the pay of the applicant by fixing first her pay in the

  
ह. सेशगिरी राव (अवकाश)  
Assistant Accounts Officer (Budget)  
मुख्य पोस्टमास्टर जनरल का कार्यालय  
Office of the Chief Postmaster General  
ऑफिस ऑफ पोस्टमास्टर जनरल, हैदराबाद-500 001.  
A.P. CIRCLE, HYDERABAD-500 001.


  
DEPONENT  
Asst. Postmaster General (S & V)  
O/o. Chief Postmaster General  
A.P. Circle, Hyderabad-500 001.

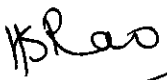


scale of pay of Rs. 1400 - 2300 and then in the next scale of 1600 - 2660. Time for compliance of the said order was given as 3 months from the date of receipt of the order. The above order was received on 31.3.99 in our office and as such the period for compoiance will be over by 30.6.99. On verification of the above case, it is found that the above exercise will take some more time to finalise and as such the Respondent authorities has to seek a further time of 3 months from this Hon'ble Tribunal for implementing the above order.

It is, therefore, prayed that this Honourable Tribunal may be pleased to extend the time for further 3 months i.e., upto 30.9.1999, in the interest of justice and pass such other orders as deemed necessary in the circumstances of the case.

Solemnly affirmed and signed  
on this the 11th day of June  
1999 at Hyderabad before me.

  
ATTESTOR  
Assistant Accounts Officer (Budget)  
मुख्य पोस्टमास्टर जनरल का कार्यालय  
Office of the Chief Postmaster General  
ऑफिस बंगल, हैदराबाद-500 001.  
A.P. CIRCLE, HYDERABAD-500 001.

  
DEPONENT  
Asst. Postmaster General (S & V)  
O/o. Chief Postmaster General  
A.P. Circle, Hyderabad-500 001.

BRM\*

2. The applicant in this OA was originally appointed as Postal Assistant on 13-5-1977. She was subsequently promoted as UDC after passing through the Departmental examination. She was working as UDC in the office of R-2. Her pay fixed as on 25-6-1993 was Rs.1,440/- in the scale of pay of Rs.1200-2040/-. A Scheme called 'Time Bound One Promotion' and 'Biennial Cadre Review' was introduced, vide Memorandum No.ST/47-5/CO/TBOP/93, dated:4-8-1993. That Scheme came into operation with effect from 26-6-1993. The details of the Scheme were given in the Directorate's letter No.4-12/88-E-I, dated: 22-7-1993, enclosed as Annexure.1 to the OA.

3. The contention of the applicant is that the LDCs/UDCs, who are in the scale of pay of Rs.950-1500/- and Rs.1200-2040/-, were first to be brought to the cadre of Postal Assistant in the scale of Rs.950-1500/-, and then they should be given One Time Bound Promotion if they have completed 16 years of service and promotion under BCR Scheme, if they have completed 26 years of service.

4. The applicant in this OA, when the Scheme was introduced, was qualified under the One Time Bound Promotion Scheme. She has given her option to come to the cadre of Postal Assistant and also for further promotion on the basis of the BCR Scheme introduced by letter dated:4-8-1993.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A.No.1419 OF 1997.

DATE OF ORDER:10-3-1999.

BETWEEN:

P.Jayalakshmi Parthasaradhy. ....Applicant

a n d .

Union of India, represented by:

1. Director General, Department of  
Posts, New Delhi.
2. Chief Post Master General,  
A.P.Postal Circle, Hyderabad.



.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.KSR.Anjaneyulu

COUNSEL FOR THE RESPONDENTS :: Mr.J.R.Gopal Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A) )

Heard Mr.D.Subrahmanyam for Mr.KSR.Anjaneyulu,  
Ms.Shakti for  
learned Counsel for the Applicant and/Mr.J.R.Gopal Rao,  
learned Standing Counsel for the Respondents.

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of pay of Rs.1400-2300 as LSG and pay her the arrears on that basis.

7. This OA is also similar to the earlier OA disposed of today i.e., OA.No.1420 of 1997 and OA.No.1421 of 1997. Following the above Judgment, the following direction is given:-

"The pay of the applicant should be fixed in the scale of pay of Rs.975-1660/- as Postal Assistant and then her pay should be re-fixed in the higher scale of Rs.1400-2300/-, if she had completed 16 years of service as on the date of introduction of the Scheme i.e., on 26-6-1993. Arrears, if any, or recovery, if any, should be made on that basis."

8. The OA is disposed of. No costs.

प्रमाणित प्रति  
CERTIFIED TRUE COPY

क्रम संख्या  
CASE NUMBER OA 1419/97  
दिनांक  
DATE 10/3/99  
प्रमाणित  
COPIES 17/3/99  
प्रमाणित

उपस्थित अधिकारी  
Officer  
हस्ताक्षर  
Central Administrative Tribunal  
हैदराबाद बेंच  
HYDERABAD BENCH.

J. R. Gopal Rao

5. The case of the applicant is that, she should first be posted as Postal Assistant in the scale of Rs.975-1660/- and immediately afterwards as she had completed 16 years of service, she should have been posted to the scale of pay of Rs.1400-2300/-, as LSG-appointee. The respondents instead of fixing her pay as a Postal Assistant in the scale of pay of Rs.975-1660/- in the first instance and then re-fixing her pay in the scale of pay of Rs.1400-2300/- as per the Scheme, as she was entitled for both the posts due to her option with effect from 26-6-1993, she was fixed in the scale of pay of Rs.1400-2300/- directly from the lower scale of UDC i.e., Rs.1200-2040/-. Thus she was deprived of monetary benefits in the pay fixation. The applicant admits that her pay in the cadre of Postal Assistant in the scale of Rs.975-1660/- should be fixed under FR 22(1)(a)(i) i.e., ~~without~~ fixation of pay as if she has not shouldered ~~her~~ higher responsibilities. Thereafter, she should be fixed in the higher scale of Rs.1400-2300/- as LSG under FR-22(1)(a)(i). As the Respondents have not followed the above procedure, she was put to a monetary dis-advantage. She had submitted her representation addressed to R-1, dated:22-12-1995. It is stated that the said representation has not been replied so far.

6. Aggrieved by the above, she has filed this DA praying for a direction to the respondents to fix her pay first in the scale of pay of Rs.975-1660/- as Postal Assistant and then re-fix her pay in the scale

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Reg! - Petition for extension of time

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD

M.A. No. \_\_\_\_\_ of 1999

In

O.A. No. 1419 of 1997

Between :

Union of India

Rep. by

The Director-General  
Department of Posts,  
New Delhi & another



.. Applicants/ Respondents

And

P. Jayalakshmi Parthasaradhy

.. Respondent/Applicant

AFFIDAVIT FOR GRANT OF EXTENSION OF TIME

Filed on : 15.6.99

*copy received*  
*B. Narasimha Sharma*  
*15.6.99*

Filed by : B. Narasimha Sharma,  
Sr. C.G.S.C.

*may be filed*  
*CLV*  
*23/6/99*

11/7/99

STREET/POSTAL  
RECEIVED

ORIGINAL

BENCH CASE

M.A. No. 466 OF 1999

O.A. NO. 1419 IN 1997

Mr. MC. Jacob for Mr. BN. Sharma  
for the applicant and Mr. D.  
Subrahmanyam for Mr. KSR. Arjanegulu  
for the respondent.

No time was given in the  
order for implementation.  
It should be done before  
10/9/99. MA is disposed of.

HBSTP  
RE,

HRPN  
P(A)

Extension of time

Mr. \_\_\_\_\_

COUNSEL FOR THE APPLICANTS

AND

Mr. B. N. SHARMA

Sr. Addl. Standing Counsel for  
C.G. Rlys.

Mr. KSR Arjanegulu  
Advocate