

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH : JAIPUR

Date of Decision ; 02.05.2002

O.A No. 1/2002.

Kanhaiyalal Agarwal s/o Rameshwarlal aged about 44 years resident of Dayanand Colony, Kotra Road, Ram Nagar, Ajmer 305001 and working as Hindi Typist Office of Superintendent, Railway Mail Service, 'J' Division, Ajmer 305001.

... APPLICANT.

v e r s u s

1. Union of India through the Secretary to the Government of India, Department of Posts, Ministry of Communications, New Delhi. 110001.
2. Postmaster General, Rajasthan Southern Region, Ajmer 305001.
3. Superintendent R.M.S. 'J' Division, Ajmer 305001.

... RESPONDENTS.

Shri K. L. Thawani, counsel for the applicant.
Shri N. C. Goyal, counsel for the respondents.

CORAM

Hon'blr Mr. Justice O. P. Garg, Vice Chairman.
Hon'ble Mr. A. P. Nagrath, Administrative Member.

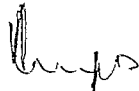
: O R D E R :
(per Hon'blr Mr. A. P. Nagrath)

The applicant is working as a Hindi Typist and he has filed this Original Application, claiming promotion under the TBOP and BCR Scheme. Promotion to the applicant under this OA has been denied by the respondents on the ground that for Hindi Typist a Scheme of Assured Career Progression was introduced in April, 2000 and the benefit under that scheme has already been extended to him.

2. We have heard the learned counsel for the parties.

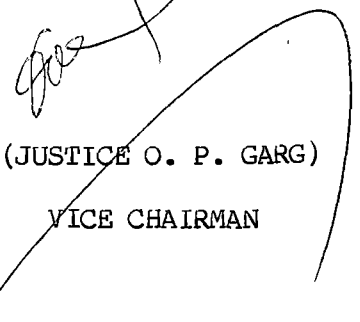
3. Learned counsel for the applicant has brought to our notice that a similar controversy has been considered earlier in different OAs by Jodhpur and Jaipur Benches of this Tribunal and it has been held that the category of Hindi Typists of the Department of Posts are entitled to be covered under the Scheme of TBOP and BCR. In all these OAs benefits were granted to the respective applicants. Department had filed writ petition before Hon'ble the Rajasthan High Court. before the Jodhpur Bench and also the Jaipur Bench. In all these cases writ petitions have been dismissed and orders of this Tribunal have been upheld.

4. Since the case of the present applicant is squarely covered by the judgements of the Tribunal as confirmed by Hon'ble the High Court of Rajasthan, we allow this OA in terms of the orders passed in earlier OAs of this Tribunal. The applicant shall be extended the benefit of TBOP and BCR Scheme, as directed in OA Nos. 20/99, 21/99 and 22/99 decided on 21.08.2000 by the Jodhpur Bench of this Tribunal. The benefit granted to the applicant under the ACP scheme shall stand withdrawn and his further advancement shall be regulated under TBOP/BCR Scheme. No order as to costs.



(A. P. NAGRATH)

MEMBER (A)



(JUSTICE O. P. GARG)

VICE CHAIRMAN