

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,  
JABALPUR**

**Original Application No. 906 of 2005**

Jabalpur, this the 28<sup>th</sup> day of September, 2005

Hon'ble Shri M.P. Singh, Vice Chairman  
Hon'ble Shri Madan Mohan, Judicial Member

M.L.Patel, aged about 58 years,  
S/o. Shri Sukkulal Patel, R/o. House  
No. 325/1, Snehnagar, Hanumanpuri,  
Jabalpur.

.... Applicant

(By Advocate – Rajneesh Gupta)

**V e r s u s**

1. Union of India, through Secretary,  
Ministry of Communication,  
Department of Post, New Delhi.
  2. Chief Post Master General,  
M.P. Circle, Bhopal.
  3. Post Master General, Indore  
Region, Indore.
  4. Superintendent, RMS, JB Division,  
Jabalpur.
- .... Respondents

**O R D E R (Oral)**

**By M.P. Singh, Vice Chairman –**

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant has claimed the following main reliefs :

"(i) to direct the respondents to confer the benefit of Biennial Cadre Review w.e.f. 1.7.1997 counting his 26 years of service w.e.f. 5.3.1971,

(ii) to direct the respondents to pay all arrears of benefit with an interest of 18% per annum,

- (iii) to direct the respondents to decide the representation made by the applicant as contained in Annexures A-3 and A-4."
3. The brief facts of the case are that the applicant was initially appointed as Sorting Assistant with effect from 5<sup>th</sup> March, 1971 with the respondents Postal Department. He was eligible for grant of financial up-gradation under the OTBP scheme and BCR scheme. The benefit under the OTBP scheme was granted to him on the due date. According to him, the benefit of BCR scheme from the due date i.e. on completion of 26 years of service has not been granted to applicant but the respondents have granted him the said benefit from a later date. He had completed 26 years of service on 4<sup>th</sup> March, 1997. Hence, he should be given the benefit of BCR scheme with effect from 1.7.1997. Instead, the respondents have granted him the benefit from 1.9.2003. Since they have not given this benefit, he has filed this Original Application. The applicant has also submitted representations to the respondents on 30<sup>th</sup> June, 2004 (Annexure A-3) and 5<sup>th</sup> February, 2005 (Annexure A-4). But the respondents have not yet taken any decision on the aforesaid representations of the applicant.
4. In view of the facts and circumstances of the case we direct the respondents to consider and decide the said representations of the applicant dated 30<sup>th</sup> June, 2004 (Annexure A-3) and 5<sup>th</sup> February, 2005 (Annexure A-4) by passing a speaking, detailed and reasoned order within a period of two months from the date of receipt of a copy of this order. The applicant is directed to send a copy of this order as well as the copy of the petition to the respondents immediately.
5. Accordingly, the Original Application stands disposed of at the admission stage itself.

  
 (Madan Mohan)  
 Judicial Member

"SA"

  
 (M.P. Singh)  
 Vice Chairman

पूर्णकांड सं. औ/व्या..... जहलपुर, दि.....

चलिनिंधि नामे शिरा:-

- (1) सहित, उप विधायक वार एवं विधायक, जहलपुर
- (2) आमदार वी/वीपरी/एवं विधायक, जहलपुर
- (3) दूसरों वी/वीपरी/एवं विधायक, जहलपुर
- (4) विधायक, वीपरी, जहलपुर एवं विधायक, जहलपुर

सूचना एवं आवश्यक दार्याली देते

३०४  
उम समिति

Revised by  
R. K. C. S.  
CM 9/00

Recd  
3/10/05