

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 1024 of 2000

Jabalpur, this the 7th day of April, 2004

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

1. S.R. Paul
Postal Assistant,
S/o Late R.K.
aged 48 years,
Raigarh Head Post Office,
Kotra Road, Raigarh.
2. P.K. Saha
Sorting Assistant,
S/o Shri Giriza Saha
aged about 49 years,
Bilaspur R.M.S.
Bilaspur.
3. Arun Kumar Banerjee
Postal Assistant,
S/o Late Sailendra Nath Banerjee,
aged about 52 years,
Raigarh Head Post Office,
Raigarh.
4. R.S. Mishra
Sub Post Master
S/o Late Kedar Nath Mishra
aged about 54 years,
Dharamganj Garh,
Raigarh.
5. Ajit Kumar Saha,
S/o Late Sukhranjan Saha
aged about 48 years,
Sorting Assistant,
RMS, Bilaspur, Distt. Bilaspur.
6. Smt. Aparna (Das) Karmakar
W/o S. Karmakar,
Postal Assistant,
aged about 49 years,
Bilaspur Spinning Mill
Bilaspur.

APPLICANTS

(By Advocate - Shri S. Paul)

VERSUS

1. Union of India,
through its Secretary,
Ministry of Home Affairs,
Dept. of Personnel & Administrative
Reforms (Surplus Cell), Rehabilitation
Division, New Delhi.
2. Secretary,
Ministry of Communication,
Department of Post,
New Delhi.

Sh

3. The Chief Post Master General
M.P. Circle, Bhopal.
4. Superintendent of Post Offices,
Head Post Office, Raigarh,
Distt. Raigarh.
5. Superintendent of Rail Mail Services,
Bilaspur, Distt. Bilaspur.

RESPONDENTS

(By Advocate - Shri S.A. Dharmadhikari)

ORDER (ORAL)

By M.P. Singh, Vice Chairman -

By filing this OA, the applicant has sought the following main reliefs :-

- (ii) Set aside the order dated 28.3.2000 (Annexure-A8).
- (iii) Direct the respondents to extend the benefit of judgment Annexure-A-1 & A-2 and CCP order Annexure-A-6.
- (iv) Direct the respondents to count the service of the applicant rendered to absorption in Postal Deptt. for all purposes.
- (v) Direct the respondents to pay arrears of salary with interest by giving the benefit of OTBP Scheme from the date of their actual entitlement by counting the past service rendered in the Rehabilitation Deptt."

2. Brief facts of the case are that the applicants were initially appointed under the Ministry of Labour Employment and Rehabilitation (Dept. of Rehabilitation) office/ of Chief Commandant Mana Group of Transit Centre, Mana Camp, Raipur. Subsequently, they were declared surplus in the Mana Camp and thereafter they/ were redeployed by the respondent No.1 and transferred to the Postal Department. The respondent No.2 (Secretary, Ministry of Communication, Department of Post) has introduced One Time Bound Promotion Scheme (OTBP) after completion of 16 years of regular service and Second Time Bound Promotion Scheme after completion of 26 years service under BCR Scheme. The persons who are juniors to the applicant were given benefit of the OTBP Scheme after completion of their 16 years total strength of service. However, the applicants were not given the same



benefit when they completed their 16 years of regular service including the service rendered under the respondent No.1.department. Since, the respondents are not giving them the benefits of the service rendered by the applicants in the earlier department, aggrieved by this, the applicants have filed this OA claiming the aforesaid reliefs.

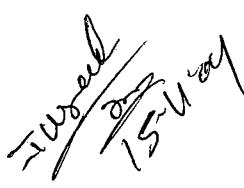
3. Heard the learned counsel for the parties. Shri Paul has submitted that the present case is fully covered by the order of this Tribunal dated 17.3.04 passed in OA No. 898/2000 in the case of Shri N.C. Roy and Ors Vs. UOI & Ors. and other connected OAs. Therefore, the applicants are entitled for aforesaid reliefs.

5. We have perused the order of this Tribunal in the case of Shri N.C. Roy(supra) and we find that the issue raised in this OA has already been dealt with in the said OAs and the present case is fully covered by the said decision.

6. For the reasons recorded above the OA is allowed. The respondents are directed to count the service of the applicants rendered, prior to their absorption in Postal Department for grant of benefits under the OTBP/BCR Scheme and grant the said benefits to them ^{from} the date of their actual entitlement. The respondents are directed to comply with the aforesaid directions within a period of four months from the date of communication of this order. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman


SKM

पृष्ठांकन सं. ओ/न्या....., जबलपुर, दि.....
प्रतितिप्यि आजे दिन:-
(1) रामेश, उच्च न्यायालय बार एसोसिएशन, जबलपुर
(2) ए. बेल श्री/श्रीगती/कु. के काउंसल S. Paul
(3) प्रस्तुती श्री/श्रीगती/कु. के काउंसल SA Pharmacist
(4) व्यंयपाल, कोपान, जबलपुर न्यायपीठ
सूचना एवं आवश्यक कार्यवाही हेतु
उपरजिस्ट्रेशन