



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

OA. 060/00321/2014

Chandigarh, this the 10th day of April, 2015

**CORAM: HON'BLE MRS. RAJWANT SANDHU, MEMBER(A)
HON'BLE DR. BRAHM A. AGRAWAL, MEMBER(J)**

...
Joginder Singh (Retd.) S/o Sh. Nathi Ram, R/o H. No. 10/137, Matak Majri, Karnal.

.....Applicant

BY ADVOCATE: SH. NAVEEN DARYAL

VERSUS

1. Union of India through its Secretary, Ministry of Communication, Postal Department, New Delhi.
2. Chief Postmaster General, Haryana Circle, Ambala.
3. The Senior Superintendent, Post Office, Karnal.

.....Respondents

BY ADVOCATE: SH. DEEPAK AGNIHOTRI

ORDER

HON'BLE MRS. RAJWANT SANDHU, MEMBER(A):-

1. This OA has been filed under Section 19 of the Administrative Tribunals Act, 1985, praying that the claim of the

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applicant for promotion be considered under BCR Scheme alongwith his junior Sh. Jagdish Ram, Postman and to remove anomalies in the pay scale allowed to the applicant, particularly for the pensionary benefits after his retirement.

2. It has been stated in the OA that the applicant joined as Postman on 29.03.1980 under the Superintendent of Post Office, Karnal and retired on 31.12.2009 after attaining the age of superannuation. DPC was held on 28.11.2006 by the respondent department and the applicant was promoted against the BCR policy in the pay scale of Rs. 4000-6000 w.e.f. 01.07.2006 vide letter dated 06.12.2006 (Annexure A-1). The applicant was informed about his promotion, but he made a request that the promotion be deferred for a period of one year since the circumstances of his family were unfavourable at that time. His request was accepted vide letter dated 13.02.2007. The applicant thereafter requested the respondents to consider him under BCR Scheme, but his request was not considered and he retired as Postman on attaining the age of superannuation on 31.12.2009.

3. It is further stated that one Sh. Jagdish Ram, Postman who was junior to the applicant as per seniority list, was promoted under the BCR Scheme in 2006 and so the applicant was also entitled to get the

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next pay scale on the promotional post. He submitted his representation in this regard. But no action had been taken in the matter. The junior to the applicant was also granted higher pay scale of Rs. 9300-34800 + Grade Pay of Rs. 4200 in MACPS and the applicant being senior, is drawing lesser salary/pension after his retirement and hence, the anomaly should be removed after fixation of pay and revision of pensionary benefits.

4. Written statement was filed on behalf of the respondents and later affidavit was filed stating that the relief sought by the applicant had already been allowed to him. The revised pension calculation sheet of the applicant alongwith his service book has been sent to DAP Ambala for revision of pension vide SSPOs Karnal letter No. C/Joginder Singh dated 16.03.2015 (Annexure C-2). The revised pension and the arrears of pension would be paid to the applicant on receipt of revised PPO from the DAP Ambala.

5. When the matter came up for consideration today, learned counsel for the applicant admitted that from the content of the affidavit and letter dated 16.3.2015, it was clear that relief as sought by the applicant regarding revision of pay and pensionary benefits had been allowed to the applicant, but he pressed that interest was also to be

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allowed keeping in view the considerable delay that has taken place in the processing of the claim of the applicant and release of revised salary/pensionary benefits. He stated that he would be satisfied if time-bound directions could be issued to the respondents to release the dues of the applicant alongwith interest as per Government guidelines on account of belated payment of the pensionary benefits.

6. Sh. Deepak Agnihotri, learned counsel for the respondents, did not oppose this contention of the learned counsel for the applicant.

7. Hence, considering the ad idem between the parties, the OA is disposed of with directions to the respondents to ensure the release of arrears of salary, retiral benefits to the applicant within a period of one month from the date of a certified copy of this order being served upon the respondents and interest as admissible on delayed payments as per Government guidelines may also be released in favour of the applicant.

No costs.

**(RAJWANT SANDHU)
MEMBER(A)**

**(DR. BRAHM A.AGRAWAL)
MEMBER(J)**

**Dated: April 10th, 2015.
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