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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH,
CHANDIGARH.**

O.A.No.060/00173/2014

Date of decision : 16.12.2014

CORAM: HON'BLE MRS. RAJWANT SANDHU, ADMINISTRATIVE MEMBER
HON'BLE DR. BRAHM A. AGRAWAL, JUDICIAL MEMBER

Hukum Chand Sharma son of Sh. Ramdiya, resident of Ward No.4, Shastri,
Nagar, Near Civil Hospital Samalakha, District Panipat.

Applicant

Versus

1. The Senior Superintendent of Post Offices, Karnal Division, Karnal.
2. The Chief Post Master General, Haryana Circle, Ambala.
3. The Secretary, Ministry of Communication, Government of India,
New Delhi.

Respondents

Present: Mr. R.P.Mehra, counsel for the applicant

Mr. Darshan Gupta, proxy for Mrs. Mohinder Gupta, counsel for
the respondents

ORDER

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

1. This Original Application has been filed under Section 19 of
the Administrative Tribunals Act, 1985, seeking the following relief:-

"8 (i) That this Tribunal be pleased to allow them 3rd financial
upgradation on completion of 30 years of service in the Basic
Grade / Entry Grade recruited as Direct by way of Limited
Departmental Examination in the Pay Band 2 of Rs.9300-
34800 with Grade Pay of Rs.4600 w.e.f. 30.06.2010.

- (ii) If they insist of Postman as promotion the earlier service be
counted for TBOP and BCR purposes.



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- (iii) Be further pleased to allow arrears of pay and allowances along with consequential reliefs of grant of additional gratuity, leave encashment amount at suitable rate of interest.
- (iv) Be still further pleased to direct the respondents to count the increased amount toward computation of pension and its arrears at suitable rate of interest under Interest Act, 1978."

2. It has been stated in the OA that the applicant was recruited as Postal Assistant directly through the Limited Departmental Examination and earlier promotion if earned has to be ignored, while considering the entitlement of the applicant for OTBP, BCR, ACPs and MACP.

3. Written statement has been filed on behalf of the respondents, rebutting the claim of the applicant in the OA and rejoinder has been filed on behalf of the applicant.

4. When the matter came up for consideration today, it was observed that in a similar matter OA No.607/PB/12 was earlier decided through order dated 14.11.2013 wherein it has been held that appointment as Postal Assistant after passing of Limited Departmental Examination is to be treated as direct appointment and the benefits of the financial upgradations due to the applicant are to be considered treating the applicant as a direct recruit Postal Assistant. RA No.060/00040/2014 filed by the respondent Department in this regard has also been rejected on 10.12.2014.



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5. Hence, this OA is disposed of with direction to the respondent Department to consider the case of the applicant for 3rd financial upgradation on completion of 30 years of service as direct recruit Postal Assistant appointed by way of Limited Departmental Examination. Consequential benefits may be allowed after computing the same within a period of three months from the date of receipt of a certified copy of this order by the respondent Department. No costs.

(RAJWANT SANDHU)
ADMINISTRATIVE MEMBER.

(DR. BRAHM A. AGRAWAL)
JUDICIAL MEMBER

Place: Chandigarh
Dated: 16.12.2014

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