

OA 060/01165/14
(Sushila Kumar vs Uo)

24-12-2014

OA disposed of vide separate detailed
common order kept in OA 060/01159/14. copy
of order be placed in this file also.

(42)
24/12/14

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

I. O.A. No.060/01159/2014 Decided on: 24.12.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

1. Gurnam Singh
2. Nikka Ram
3. Raghbir Singh
4. Suba Singh
5. Rashpal Singh II
6. Ajay Partap Singh
7. Malkiat Singh
8. Bhoomi Chand

All are presently working SRO, Chandigarh.

9. Sukhpal Singh
- 9-A. Surjit Singh

Presently working under SSP, Ropar.

10. Ashok Kumar

Presently working under SSP, Jalandhar.

11. Kamaljit Singh

Presently working under SSP, RMS 'LD' Division, Ludhiana.



**.....Applicants
Versus**

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General Punjab, Sector 17, Near Municipal Corporation Office, Chandigarh.

3. SSP, Ludhiana.

4. SSP, Ropar.

5. SSP, Jalandhar.

.....Respondents

II.O.A. No. 060/01160/2014

1. Mahesh Kumar

2. Jasbir Singh

3. Gurmeet Kaur

Presently all are working Supdt. Post Offices Muffasil Division
Ludhiana.

4. Kamaljit Singh

5. Sham Singh

6. Prem Singh

7. Ranjit Kapoor

8. Usha

9. Kiran Balan 1st

10. Ved Parkash

11. Joginder Singh II

12. Ajmer Singh

13. Naresh Kumar II

14. Om Parkash



15. Surinder Kumar II

All are working Sr. Supdt. RMS 'LD' Division Ludhiana.

16. Harpal Singh Bhandal (Retired on 31.05.2011)

Retired from the office of Sr. Supdt. Post Offices City Division,
Ludhiana.

**.....Applicants
Versus**

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General Punjab, Sector 17, Near Municipal Corporation Office, Chandigarh.
3. SSP, Ludhiana.

.... Respondents

III.060/01161/2014

1. Lamber Pal
2. Pawitar Lal
3. Shukla Gupta
4. Kamla Devi
5. Amit Chaudhary
6. Anita Maini
7. Sushma Kumari
8. Jagtar Singh
9. Sudesh Kumari



10. Satnam Singh

11. Sunder Pal

All are working under SSP, Jalandhar

.....**Applicants**

Versus

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General Punjab, Sector 17, Chandigarh.
3. SSP, Jalandhar City, Jalandhar.

....**Respondents**

IV. 060/01162/2014

1. Megh Nath
2. Mahesh Gandhi
3. Aradhna
4. Gian Parkash
5. Shamsher Singh
6. Harsh Bala
7. Reeta Sharma Bhardwaj
8. Mangal Singh
9. Jai Bhagwan
10. Rajwant Kaur
11. Rama Datt



12. UYpma Rani
13. Rama Rani
14. Namita Mehta

All are presently working SSP, Kurukshetra.

.....**Applicants**

Versus

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General Punjab, Ambala.
3. SSP, Kurukshetra.

....**Respondents**

V. 063/00162/2014

1. Sushil Kumar
2. Pushpa Chauhan
3. Joginder Lal
4. Prem Ballabh
5. Yashodhra
6. Prem Chand
7. Nirmala Devi
8. Bhawani Prasad
9. Kusham lata Sharma
10. Bimla Kashyap



11. Sandhya
12. Poonam Sharma
13. Nathu Ram Chauhan
14. Laxmi Kant Kashyap
15. Thakur Dass
16. Anita chadha
17. Ashok Kumar Negi
18. Narinder Singh
19. Sohan Lal
20. Sunita Sharma
21. Anushil Sharma
22. Sita Ram
23. Sat Pal, SRO RMS Pathankot H.P.
24. Presently all are working, SSP, Shimla.

**.....Applicants
Versus**

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General, Shimla.
3. SSP, Shimla.

.... Respondents

VI. 060/01165/2014



**O.A. No.060/01159/2014 &
Connected matters**

1. Sushila Kumari
2. Lajwanti

Presently working under SSP, RMS G-Division, Nankpura, New Delhi – 21.

3. Gokul Chand
4. Vishan Lal
5. Shiv Ram
6. Shiv Dhari

All are presently working under SSP, Faridabad.

7. Yashpal Singh Aswal

Presently working under SSP, Ambala.

.....**Applicants**

Versus

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General, Ambala.
3. SSP, Ambala
4. SSP, Faridabad

....**Respondents**

VII. 060/01166/2014

1. Gaje Singh
2. Kishan Singh
3. Bharat Ram
4. Daya Ram
5. Harish Chander
6. Sadhu Ram
7. Ramesh Kumar



8. Satyabir Singh Dahiya
9. Satbir Singh Morwal
10. Mrs. Hardevi P.A.

Presently all are working SSP, Bhiwani

11. Swatanter Kalra
12. Ved Parkash

Presently all are working SSP, Hissar.

**.....Applicants
Versus**

1. Union of India through Secretary, Post and Telegraph Dept, New Delhi.
2. The Postmaster General, Ambala.
3. SSP, Bhiwani.
4. SSP, Hisar.

.... Respondents

Present: Mr. Inderjit Sharma, proxy counsel for the applicants

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. The facts and law points involved in all these O.A. being similar, these are disposed of by a common order.
2. By way of the present O.A., the applicants have sought issuance of a direction to the respondents to grant them the pay and allowances at par with the regular Postal Assistant.



3. Learned counsel for the applicants submits that the applicants herein, who were appointed as Postal Assistant (Reserved Trained Pool) after having requisite training, have been paid lesser pay and allowance than the regular Postal Assistant despite they are discharging the equal work. In support of his claim, learned counsel has placed reliance upon a decision rendered in identical O.A. (NO. 788/HR/2001) titled **Pardeep Jain & Others Vs.
U.O.I. & Others** which has been affirmed by the Hon'ble High Court vide order dated 18.02.2014 in CWP NO. 1466/CAT/2004. He further submits that the applicants have already preferred a representation dated 30.05.2014 (Annexure A-1) seeking the claim aforementioned but the same has not been decided till date. He makes a statement at the Bar that the applicants would be satisfied if the O.A. is disposed of with a direction to the respondents to consider their representation and take a view thereon in accordance with law, within a reasonable period.

4. Considering that the applicant is simply asking for a direction to the respondents to decide her pending representation, there is no need to issue notice to the respondents and call for their reply. Also no prejudice shall be caused to the respondents due to non-issuance of notice as they have not yet decided the representation



of the applicant which they are supposed to do within a period of six months as per Section 20 of the Administrative Tribunal Act, 1985.

5. Accordingly, the O.A. is disposed of, with a direction to the respondents to consider the representation dated 30.05.2014 (Annexure A-1) in accordance with Law, by passing a speaking and reasoned order within a period of two months from the date of receipt of a copy of this order. While deciding the representation of the applicants, the fact and effect of the orders passed by this Tribunal in the case of Pardeep Jain(supra) shall also be taken into account.
6. Needless to say that we have not commented on the merits of the case.
7. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 24.12.2014

'mw'

Certified True Copy/मान्यता प्राप्त प्रतिलिपि

अनुभाय अधिकारी (पाता) / Section Officer (Pass.)

केंद्रीय न्यायिक विधायक

Central Administrative Tribunal

चंडीगढ़ शहर नियन्त्रित क्षेत्र, अर्द्ध-पूर्व

चंडीगढ़ / Chandigarh

