

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

R.A. No. 126/2016 in
O.A. No. 612/2013

New Delhi this the 3rd day of November, 2017

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

1. Union of India through
The Secretary,
Ministry of Communications & IT,
Dak Bhawan,
New Delhi-110001.

2. Sr. Supdt. of Post Offices,
New Delhi South West Divn.,
New Delhi-110021.

.. Review Applicants/
Respondents

(By Advocate: Mrs. Anupama Bansal)

Versus

1. Mukhtiyar Singh,
Ex. Postman, R.K. Puram
(M) Post office
R/o H.No. C-220, Kurat Mohala
Mata Chowk, Chhawala,
New Delhi-110071.

2. Dharam Pal,
Ex. Postman, Chanakyapuri
Post Office, New Delhi
R/o House No.551, Village Devli,
New Delhi-110065.

3. Sant Ram,
Ex. Postman,
Village & P.O. Bharthal
New Delhi-110077.

4. Randhir Singh,
Ex. Postman

Vasant Vihar P.O.
S/o Hukam Singh
R/o House No.20,
Village & P.O. Dhakla
Distt. Jhajjar, Haryana.

.. Respondents/
Original Applicants

(By Advocate: Ms. M. Sharda)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard both the sides.

2. The O.A. No. 612/2013, filed by four applicants, was disposed of by this Tribunal vide order dated 09.05.2016 by simply placing reliance on a judgment of Jodhpur Bench of this Tribunal in O.A. Nos.382/2011, 353/2011 and 354/2011, dated 22.05.2012, as upheld by the Hon'ble Rajasthan High Court. This Tribunal has not gone into the individual facts and entitlement of the applicants before allowing the O.A. by its order dated 09.05.2016.

3. The respondents in the O.A. filed the instant R.A. by submitting that though they are not disputing the view taken by this Tribunal, which was allowed basing on the decision of Jodhpur Bench of this Tribunal, but the 4th applicant, in view of his individual facts, i.e. non-completion of 30 years of service, is not entitled for the benefits granted in the O.A.

4. It is their further case that though the Jodhpur Bench, basing on which the O.A. of the applicants was allowed summarily, not granted any interest on the arrears, but this Tribunal had granted the interest on arrears and to the extent of this limited error, the respondents filed the instant R.A.

5. Learned counsel appearing for the respondents/original applicants has not disputed the fact of non-eligibility of the 4th applicant for the benefits under the O.A. and has no objection, if the R.A. is allowed to the extent disentitling the 4th applicant from the benefits of the O.A. However, in so far as the contention of the review applicants with regard to interest on arrears is concerned, the learned counsel drawn our attention to the judgment of Jodhpur Bench of this Tribunal in O.A. No. 382/2011 and batch, dated 22.05.2012, basing on which the O.A. of the applicants had been allowed wherein it was categorically mentioned that the applicants are entitled to all the arrears with interest @ GPF rate of interest and, accordingly, submits that the said prayer of the review applicants cannot be accepted. We agree with the contention of the respondents in the review/original applicants, with regard to interest on arrears.

6. Admittedly, the 4th applicant was not entitled for the benefits granted under the O.A. order. In the circumstances, the R.A. is partly allowed to the extent of dismissing the claim of the 4th applicant in the O.A. No order as to costs.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

/Jyoti/