

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No.180/00054/2018

Wednesday, this the 24th day of January, 2018

CORAM:

Hon'ble Mr. U.Sarathchandran, Judicial Member
Hon'ble Mr.E.K.Bharat Bhushan , Administrative Member

1. K.K. Neelakandan,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kalady Pushpakom, East Kadungallur,
U.C. College P.O., Aluva - 683 102.
2. V.R. Sathyabhama,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Balasadhan, P.O. Kaitharam, Paravur - 683 519.
3. P. Muralimohan,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Kedaram, Mangayil Temple Road, Maradu, Kochi - 682 304.
4. N.D. Varghese,
Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Neelankavil House, St. Thomas Street,
Kuriachira, Thrissur - 680 006.
5. P. Rugmanidhevi,
Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Korambil House, Urakam P.O., Thrissur - 680 562.
6. K.M. Benny,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kunniyil House, South Paravoor - 682 307.
7. K.P. Valsa,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kizhakkepurath House, Kunnakkal P.O. ,
Ernakulam - 682 316.
8. A.T. Indirakumari,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Malayil House, Vembilly P.O., Pazhamthottam, Aluva - 683 565.

9. P.R. Prabha,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Prabha Nilayam, Ooramana P.O., Ernakulam - 686 730.
10. K.R. Ranchith,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kuttathara House, CC. 23/1068.
Panchayath Raj Road, Palluruthy, Kochi - 682 006.
11. P. Lathika,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Souparnika, SFA Royal Castle,
Chinmaya Mission Road, Tripunithura - 682 301.
12. S. Usha,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kallikkattu House, Kottapuram P.O.,
Kodungallur - 680 667.
13. Gracy Thomas,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kanjirapparayil House, Thiruvaniyoor P.O.,
Puthencruz - 682 308.
14. P. Lilly Varghese,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kanjirapparayil House, Thiruvaniyoor P.O.,
Puthencruz - 682 308.
15. Beenamma Joseph,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Poovathingal House, Mulakulam North P.O.,
Piravom - 686 664.
16. K.R. Sujith,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Kozhipurath House, Vadacode P.O.,
Kangarapady - 682 021.
17. P.K. Omana,
Retired Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Thondiparambil, Karicode, Mulanthuruthy - 682 314.
18. Satheedevy. K,
Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Anjali, Parakkate House, Elthuruth, Thrissur - 680 611.

19. Shaji. S,
Office Assistant, Regional Office, Kadavanthra, Kochi - 682 020,
Residing at Babu Sadanam, Subramaniyapuram East,
Avalookunne - 688 006.
20. K.K. Jayarajan,
Office Assistant, Regional Office, Kadavanthra, Kochi - 682 020,
Residing at Apartment No. 1094, DD Global Village,
Companypadi, Aluva - 683 106.
21. E.V. Sasikumar,
Office Assistant, Regional Office, Kadavanthra, Kochi-682 020,
Apartment No. 112 C, DD Global Village,
Companypadi, Aluva - 683 106.
22. A.V.Alphonsa,
Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Eluvathingal House, Meenchanda Road,
Valappad, Pin - 680 567.
23. K.K. Usha,
Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Thottarath House, Edamuttom, Pin - 680 568.
24. K. Sushama,
Postal Assistant, SB CO, Thrissur HPO - 680 001,
Residing at Meluveettil House, Sasthamkadavu,
Kodannur P.O., Pin - 680 563.
25. P.V. Sathy,
Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Varim, Seetharam Mill Road,
Poonkunnu, Thrissur - 680 002.
26. A.R. Gouri,
Retired Sorting Assistant, SRO, Thrissur - 680 006,
Residing at Koonamthanickal House, Thottappady
Pipe Line, Mannuthy, Thrissur - 680 651.
27. C. Sreedevi,
Sorting Assistant, SB CO, Thrissur HPO - 680 001,
Residing at Chakkedath House, Urakom P.O.,
Thrissur - 680 562.
28. K. Rajachandra Panicker,
Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
Residing at Indira Nivas, Thrichattukulam P.O.,
Cherthally, Pin - 688 526.

29. Elias C John,
 Sorting Assistant, HRO, RMS EK Division, Kochi - 682 011,
 Residing at Chathoth House, Kanjiramattom P.O.,
 Ernakulam - 682 315.

30. Jose Kurian,
 Sorting Assistant, SRO, Aluva,
 Residing at Vazhapilly House, Pariyaram P.O.,
 Thriussur - 680 721.

31. A.O. Antu,
 Sorting Assistant, SRO, Aluva,
 Residing at Alappadam House, Koovappady P.O.,
 Perumbavoor - 683 544. **Applicants**

(By Advocate -Mr.Vishnu S Chempazhanthiyil)

V e r s u s

1. Union of India, represented by the Secretary and Director General, Department of Posts, Dak Bhavan, New Delhi - 110 001.
2. The Chief Postmaster General, Kerala Circle, Thiruvananthapuram - 695 033.
3. The Postmaster General, Regional Office, Kadavanthra, Kochi - 682 020.
4. The Superintendent of RMS, RMS EK Division, Kochi - 682 011.
5. The Senior Superintendent of RMS, RMS TV Division, Thiruvananthapuram - 695 036.
6. The Superintendent of RMS, RMS Calicut Division, Calicut - 673 032.
7. The Superintendent of Post Offices, Alappuzha Postal Division, Alappuzha - 688 505. **Respondents**

(By Advocate - Mrs.P.K.Latha, ACGSC)

This Original Application having been heard on 22.1.2018, the Tribunal on 24.1.2018 delivered the following:

(Correction carried out in Cause Title as per order in M.A 180/176/2018 dated 30.7.2018)

ORDER

Per Hon'ble Mr. U. Sarathchandran, Judicial Member -

Heard Mr.Vishnu S Chempazhanthiyil, learned counsel appearing for the applicants and the learned counsel appearing for the respondents.

2. In the common order dated 10.01.2018 in OAs Nos. 180-46-2015, 180-359, 377, 385 & 1057-2017 this Tribunal has passed an order as under:

"13. . . . we are of the view that in the light of Annexures A4, A5 and A6 judicial decisions the applicants in these cases on hand are entitled to the benefits of those decisions especially in relation to the fixation of their TBOP and pensionary benefits. As the Modified Assured Career Progression Scheme (for short, MACPS) envisages **regular service** as a threshold requisite, we hold that for claiming benefits under the MACPS the service rendered by the applicants in the above cases shall be counted only from the date of their regularisation as Postal Assistants/Sorting Assistants. In order to cut short further litigations we direct that the respondents shall grant the benefit of Annexure A4 order of this Tribunal to all the applicants in the afore-captioned OAs and also to the other similarly situated persons who have not approached this Tribunal so far.

14. With the above directions, we dispose of these Original Applications. The respondents shall grant the monetary benefits to all RTP candidates in terms of the above order within three months from the date of receipt of a copy of this order. Parties shall suffer their own costs."

3. Since the issue involved in this case and the grievances of the applicants herein also are similarly situated with those of the applicants in the OAs adjudicated under the aforesaid common order, we pass a similar order as in the afore-extracted order in this case also.

4. Accordingly, the Original Application is disposed of as above. No order as to costs.

**(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER**

**(U.SARATHCHANDRAN)
JUDICIAL MEMBER**

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List of Annexures in O.A

Annexure A-1 - True copy of the DG, P&T letter No.60/36/80-SPB I dated 30.10.1980

Annexure A-2 - True copy of the DG, P&T, New Delhi letter No.60-31/81-SPB-I dated 18.6.1982

Annexure A-3 - True copy of the DG, P&T, letter No.60-31/81-SPB-I dated 8.3.1983

Annexure A-4 - True copy of the judgment dated 1.10.2013 in O.A No.79/2011 and connected cases of the Hon'ble Court

Annexure A-5 - True copy of the judgment dated 17.3.2017 in OP(CAT) No.114/2014 and connected cases of the Hon'ble High Court of Kerala

Annexure A-6 - True copy of the order in Special Leave Petition (Civil) Diary No.25442 of 2017 dated 10.11.2017 of the Hon'ble Supreme Court of India.