

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00135/2018
Wednesday, this the 14th day of March, 2018

CORAM:

Hon'ble Mr. U. Sarathchandran, Judicial Member

1. H Geetha
Postal Assistant, Mulanthuruthy P.O-682 314
Residing at Krishnakripa, Venus Nagar
Ameda Road, Udayamperoor – 682 307
2. S.E.Renuka Devi
Sub Postmaster, Kanjiramattom S.O-682 315
Residing at Manayathattu Mana, Amballur P.O
Kanjiramattom Via, Ernakulam 682 315
3. Gibi Elizabeth George
Postal Assistant, Chottanikkara P.O-682 312
Residing at Nedumpurath Kudilil House, Kanayannoor
Chottanikkara-682 312
4. C.Sasikumar
Postal Assistant
Udayamperoor P.O – 682 307
Residing at Sreepadam, Pavamkulangara
Thrippunithura- 682 301
5. K.J.Thomas
Public Relations Inspector (Officiating)
Kottayam Head Post Office -686 001
Residing at Kuzhimalayil House, Manarcad P.O
Kottayam – 686 019
6. P.T.Usha
Accountant, Kottayam Head Post Office-686 001
Residing at Sivasylam House, Punnathura West P.O
Ettumanur, Kottayam-686 632
7. K.J.Maria Linsa
Postal Assistant, M.G.Road Post Office, Kochi-682 016
Residing at Kocheriyil House, Chakkalakkal Road
Peruimanoor, Kochi-682 015

8. C.S.Suma
Postal Assistant, M.G.Road Post Office, Kochi-682 016
Residing at 'Nilavu', Mattahil House, SD Convent Road
Konthuruthy , Thevara – 682 013
 9. N.K.Ammuni
Postal Assistant, Kochi Foreign Post Office, Kochi-682 035
Residing at Ayyappankavil , Baby Villa
Panangad, Kochi – 682 506
 10. Kousallia P.K
Sub Postmaster, Udayamperoor P.O-682 307
Residing at Ormulakunnel House,
Mulanthuruthy P.O
Ernakulam-682 314
 11. P.L.Prabhavathy
Postal Assistant, Chottanikkara P.O-682 312
Residing at Kadavilparambhil,
Krishnapilla Road
Vaikom P.O-686 141
 12. Thankachen George
Postal Assistant, Kochi Foreign Post Office
Kochi – 682 035
Residing at Kappiliparambil House, CRA-7
Chulikkavu Temple Road
Rajagiri P.O, Kalamassery-683 104
- Applicants

(By Advocate : Mr.Vishnu S Chempazhanthiyil)

V e r s u s

1. Union of India, rep. 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 Senior Superintendent of Post Offices
Ernakulam Postal Division Kochi-682 011
4. The Senior Superintendent of Post Offices
Kottayam Postal Division, Kottayam – 686 001 . . . Respondents

(By Advocate : Mr.Sinu G Nath,ACGSC)

This application having been heard on 14.3.2018, the Tribunal on the same day delivered the following:

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, this Tribunal 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.

(U. SARATHCHANDRAN)
JUDICIAL MEMBER

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APPLICANT'S ANNEXURES

Annexure A1 - True copy of the DG, P&T Letter No.60/36/80-SPB I dated 30.10.1980

Annexure A2- True copy of the DG, P&T, New Delhi letter No.60-31/81-SPB-I dated 18.6.1982

Annexure A3- True copy of the DG, P&T, Letter No.60-31/81-SPB-I dated 8.3.1983

Annexure A4- True copy of the judgment dated 1.10.2013 in O.A No.79/2011 and connected cases of the Hon'ble Court

Annexure A5- 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 A6- 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

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