

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00198/2018

Monday, this the 09th day of April, 2018

CORAM:

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

- 1 Sushama Vasudevan,
Wife of S. Vijayanandan, Aged 55 years,
Sub Postmaster, Keerikad Post Office,
Mavelikara Division,
Residing at Panachappally, South Kochumuri,
Ochira P.O., Alappuzha District – 690 526.
- 2 Lekshmi Devi P.,
Wife of Sree Prakash S., Aged 52 years,
Sub Post Master, Krishnapuram Post Office,
Mavelikara Division,
Residing at Vadakke Warriam, Eruva P.O.,
Kareelakulangara, Alappuzha District – 690 572.
- 3 Jayasree E.,
Daughter of Neelakanta Pillai, Aged 57 years,
Post Master (Officiating), Haripad MDG,
Mavelikkara Division,
Residing at Thushara, Pilapuzha, Haripad P.O.,
Alappuzha District – 690 514.
- 4 K.S. Mayalekshmi,
Daughter of N. Govindan Nair, Aged 53 years,
Sub Post Master, Chingoli Post Office,
Mavelikara Division,
Residing at Lekshmipriya, Thulamparambu South,
Haripad P.O., Alappuzha District – 690 514.
- 5 K.P. Ajitha,
Daughter of K. Parameswaran Nair, Aged 55 years,
Sub Post Master, Pallickal Post Office,
Mavelikara Division,
residing at Harimangalathu Savidham,
Krishnapuram P.O., Kayamkulam,
Alappuzha – 690 533.

- 6 S. Sreelathadevi,
Daughter of K. Sreepathy, Aged 55 years,
Sub Post Master,
Nangiarkulangara Post Office, Mavelikara Division,
Residing at Alumparambil,
Kottarcavu, Mavelikara,
Alappuzha District – 690 101.
- 7 P. Hemalatha,
Daughter of N. Raghava Kurup, Aged 54 years,
Sub Post Master,
Kodukulanji Post Office, Mavelikara Division,
Residing at Rakendu, South Fort,
Mavelikara, Alappuzha District – 690 101.
- 8 C.D. Sreelathadevi,
Daughter of K. Damodaran Nair, Aged 55 years,
Sub Postmaster, Cherukole Post Office,
Mavelikara Division,
Residing at Vijaya Sadnam, Kollakadavu P.O.,
Alappuzha District – 690 509.
- 9 Saradamoni S.,
Wife of G. Padmanabhan Nair, Aged 55 years,
Sub Post Master, Thazhakara Post Office,
Mavelikara Division,
Residing at Neduvelil House, Earamathoor P.O.,
Mannar, Alappuzha District – 689 622.
- 10 Vijaya Kumari S.,
Daughter of T.N. Gopalakrishnan Nair, Aged 54 years,
Sub Post Master, Mevelikara Court Post Office,
Mavelikara Division,
Residing at Ariyannoor House, Mattom North,
Thattarambalam P.O., Mavelikara,
Alappuzha District – 690 103.
- 11 Rugminiamma G.,
Daughter of Damodharan Pillai, Aged 57 years,
Sub Postmaster (retired), Ennakkad Post Office,
Mavelikara Division,
Residing at Sivamangalam House,
Thripperumthura P.O., Chennithala,
Alappuzha District – 690 105.

- 12 Beena P.,
Daughter of P.K. Chandrasekhara Panicker, Aged 55 years,
Sub Post Master, Thattarambalam Post Office,
Mavelikara Division,
Residing at Sreemana, Kunnam P.O., Mavelikara,
Alappuzha District – 690 108.
- 13 G. Geethakumari,
Daughter of P. Sadanandan, Aged 53 years,
Postal Assistant, Kayamkulam Head Office,
Mavelikara Division,
Residing at Thurayil Thekkethil, Muthukulam South P.O.,
Alappuzha District – 690 506. **Applicants**

(By Advocate – Mrs. Rekha Vasudevan)

V e r s u s

- 1 Union of India,
Represented by Secretary to Government of India,
Ministry of Communications, New Delhi – 110 001.
- 2 The Director (Staff),
Department of Posts, Ministry of Communications & IT,
New Delhi – 110 001.
- 3 The Chief Postmaster General,
Kerala Circle, Thiruvananthapuram, Kerala – 695 033.
- 4 The Assistant Director (Legal Cell),
Office of the Chief Postmaster General, Kerala Circle,
Thiruvananthapuram, Kerala – 695 033.
- 5 The Superintendent of Post Offices,
Mavelikara Division, Mavelikara,
Alappuzha District – 690 101. **Respondents**

(By Advocate – Mr. E.N. Hari Menon, ACGSC)

This Original Application having been heard on 09.04.2018, the
Tribunal on the same day delivered the following:

O R D E R (ORAL)

Per: Mr.U. Sarathchandran, Judicial Member

Heard Mrs.Rekha Vasudevan, 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 to 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
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(U.SARATHCHANDRAN)
JUDICIAL MEMBER

List of Annexures of the Applicants

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| Annexure A-1 | - | True copy of the final order dated 01.10.2013 in O.A. No. 79 of 2011 and connected cases of this Honourable Tribunal. |
| Annexure A-2 | - | True copy of the judgment dated 17.03.2017 in O.P. (CAT) No. 89 of 2014 and connected cases of the Honourable High Court of Kerala. |
| Annexure A-3 | - | True copy of the order dated 10.11.2017 in SLP (Civil) Diary No. 25442/2017 of the Honourable Supreme Court. |
| Annexure A-4 | - | True copy of the letter dated 13.12.2017 addressed by the 2 nd respondent to the 3 rd respondent. |
| Annexure A-5 | - | True copy of the Order No. CO/LC/22 OP(CAT)/2017 dated 21.12.2017 issued by the 4 th respondent. |
| Annexure A-6 | - | True copy of the final order dated 17.01.2018 in OA 180/0038/2018 of this Honourable Tribunal. |

List of Annexures of the Respondents

Nil.
