

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00196/2018

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. Vijayakumar K.
Son of the late Kunhikrishnan Nair, Aged 57 years,
Sub Post Master,
Manisseri Post Office,
Ottapalam Division,
Residing at Arunodayam, Kanniampuram P.O.,
Ottapalam, Palakkad District – 679 104.

2. N. Omana,
Wife of Shivasubramaniadasan, Aged 58 years,
Sub Post Master, Palappuram Post Office,
Ottapalam Division,
Residing at Surendar Nivas, Ethirpanam,
Mannarkad, Palakkad District – 678 582.

3. Mary Peter K
Daughter of K.C.Peter
Postal Assistant, S.G Press
Ottapalam Division
Residing at Hiba, Kallipadam, Shoranur
Palakkad District – 679 122

4. Saseendran U.M
Son of the Late G HariNamboodiri
Assistant Post Master Accounts (Officiating)
Ottapalam, Ottapalam Division
Residing at Uriyammadam Mana, Trikatiri P.O
Palakkad District -679 502

5. Kumari.M.P
Wife of P.Prabha Sankar
Postal Assistant, Ottapalam Head Office
Ottapalam Division, Residing at Pokkalath
SBI Colony, Ottapalam, Palakkad District-679102

6. Mohanan.O
Son of the late Theyyan Nair
Sub Post Master, Thottakkara Post Office
Ottapalam Division,
Residing at Olancherry House, Varode P.O
Ottapalam, Palakkad District – 679 102
7. Ravindranathan.A, Son of the late K.P.Narayanan Nair
Sub Post Master, Chalavara Post Office
Ottapalam Division, Residing at Kavanatu Punchapadath House
Thottakkara P.O, Ottapalam
Palakkad District – 679 102
8. V.Padmini, Wife of C.V.Sethumadhavan
Sub Post Master
Vaniamkulam Post Office
Ottapalam Division
Residing at Ayilyam,
SRK Nagar P.O, Palappuram,
Palakkad District 679 103
9. Sujatha.P,
Wife of P.Balakrishna Pillai
Accountant, Divisional Office
Ottalapalam Division
residing at Sreelakam, SRK Nagar
Palappuram, Palakkad District 679 103
10. Jayaradha.R, Wife of K.Raman Menon
Postal Assistant, Ottapalam Head Office
Ottapalam Division, Residing at Sreeganesam
Thottakkara P.O, Ottapalam, Palakkad District 679 102
11. K.Lathika, Wife of Kesavadas, Accountant,
Ottapalam Head Post Office
Ottapalam Division, Residing at
Swathi, West Convent Road, Ottapalam
Palakkd District 679 102
12. Safiya.V, Wife of Aboo Backer P.T
Postal Assistant, Shoranur
Ottapalam Division
Residing at Pallatu Parambil
Badariyya, Vivekananda Nagar
S.G Press P.O
Palakkad District 679 122

13. U.Sarala, Wife of K.P.Krishnadas, Sub Post Master (Retired)
Nallaya, Ottapalam Disivion
Residing at Sreedharam, Kavuvattom
Cherpulchery P.O, Palakkad District 679 503
 14. O.N.Jayasree, Wife of Parameswaran Namboodiri
Sub Post Master, Chalissery Post Office
Ottapalam Division
Residing at Kappyoor
Vadikkiniyedath Mana
Thaneerkod, Chalissery P.O
Palakkad District 679 536
 15. Emmanuel K.J,
Son of Joseph
Postal Assistant, Sreekrishnapuram Post Office
Ottapalam Division, residing at Karikurathel House
Srikrishnapuram P.O
Ottapalam, Palakkad District 679 513
 16. Saseendran O, Son of Madambi
Sub Post Master, Mele Pattambi Post Office
Ottapalam Division, residing at Oanparambil House
Peringode P.O, Palakkad District 679 535
 17. Krishnakumari.K.R, Wife of C.Jayanarayanan
Sub Post Master, Perur Post Office
Ottapalam District, residing at Pranavam
KSHB Colony, Palapuram P.O
Palakkad District-679 103
 18. Susheelamma Koshy, Wife of George Thomas K.I
Sub Post Master, Kanniyampuram Post Office
Ottapalam Division, residing at Kavumvathukkal House
Manjakkad, Shoranur,
Palakkad District 679 121
- **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,
Ottapalam Division, Ottapalam,
Palakkad District – 679 101.
- **Respondents**

(By Advocate – Mr. K. Kesavankutty, 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

(U.SARATHCHANDRAN)
JUDICIAL MEMBER

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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 27.12.2017 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.
