

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No.180/00186/2018

Monday, this the 19th day of February, 2018

CORAM:

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

1. C.R. Rajamohanan,
Postal Assistant, Thrissur H.O.-680 001.
Residing at Cherussery House, 'Chaithram',
Harisree Nagar, P.O. Chevoor,
Kanimangalam, Thrissur -680 027.
2. V. Radhakrishnan,
Postal Assistant, Kurkancheri P.O.,
Thrissur -680 007.
Residing at Devaki Nilayam,
Thayamkulangara, Cherpu P.O.,
Thrissur -680 561.
3. M.K. Leela,
Sub Postmaster, Pattikad TC P.O.,
Thrissur -680 652.
Residing at Anam Parambil Honse,
Near VVHS High School, Pipe Line Road,
Mannuthy, Thrissur -680 651.
4. P.C. Gouri,
Postal Assistant,
Ayyanthole P.O. Thrissur-680 003.
Residing at Desamangalam Mana,
Temple Avenue, Ayyanthole P.O.
Thrissur-680 003.
5. C.R. Raji,
Sub Postmaster,
Arimpur P.O., Thrissur -680 620.
Residing at Kodapanakkal House,
Arimpur P.O., Thrissur - 680 620.
6. V.S.Sheeja,
Sub Postmaster,
Vatanappilly P.O., Thrissur - 680 614.
Residing at Palliyil House, Anthikad P.O.,
Thrissur - 680 641.
7. Mini R Nair,

Office Assistant, Postal Stores Depot,
Poothole, Thrissur-680 004.
Residing at Gangothiri,
Achutha Puram, Pottore P.O.,
Mulagunnthukavu, Thrissur - 680 581.

8. K.K. Krishnakumari,
Postal Assistant, Thrissur H.O. - 680 001.
Residing at Orakulangara House,
Peramangalam P.O., Thrissur - 680 545.
9. T.R. Sajitha Kumary
Sub Postmaster, Kanjany, Thrissur-680 612.
Residing at Ayyanthole Desath House,
P. O. Ayyanthole, Thrissur-680 003.
10. P.P.Chandrika,
Sub Postmaster, Kundaliyur,
Thrissur-680 616.
Residing at Kizhakkepattath House,
Engandiyur P.O., Thrissur-680 615.
11. B.R.Sarasu,
Sub Postmaster, Trithallur,
Thrissur-680 619.
Residing at Badaku Mana House,
Orumanur, Thrissur-680 512.
12. K.Gopalakrishnan,
Sub Postmaster,
Guruvayur Temple P.O.,
Thrissur-680 101.
Residing at Kattil Valappil House,
Thiruvenkitam, Guruvayur, Thrissur-680 101.
13. C.M. Brownie,
Sub Postmaster, Ariyannur P.O., Thrissur-680 102.
Residing at Mekkattukulam House, P.O.Amala Nagar
Thrissur-680 555.
14. K.S.Bhagiashree
Sub Postmaster (Acting)
Chelakkara P.O., Thrissur-680 586.
Residing at Thekkingin House, Thonnurkara P.O.,
Chelakkara, Thrissur-680 586.
15. K.Usha Devi, aged 58,
W/o P. Mohanan,
Postal Assistant, Wadakkancherry, Thrissur -680 582.
Residing at Mohanam, Aditya Nagar, Poovani,
Viyyur P.O., Thrissur-680 010.

16. V.N.Usha,
Postal Assistant,
Wadakkancherry TC H.O,
Thrissur-680 582.
Residing at Kaipanchery Mana, Panjal P.O.,
Cheruthuruthy, Thrissur-679 531.
17. M.B. Pushpaleela,
Sub Postmaster, Enkakkad P.O.,
Thrissur-680 589.
Residing at Chakkamadathil House,
Velappaya, Thrissur Medical College P.O.,
Thrissur-680 596.
18. S.Remu Devi,
Sub Postmaster, Urakam P O.
Thrissur-680 562.
Residing at 4A, Love Shore Enclave,
Phase I, Saw Mill Road, Kurkancheri P.O.,
Thrissur-680 007.
19. K.K.Saridha,
Sub Postmaster, Mathilakam P.O.,Thrissur-690 685.
Residing at Pazhukunnath House,
Anchapalam, Methala P.O.,
Thrissur 680 669.
20. Sukumary Joseph,
Assistant Superintendent of Post Offices
(Head Quarters), Irinjalakuda Division,
Irinjalakuda-680 121.
Residing at Puthenpurakkel House,
Chalakudi P.O., Thrissur -680 307.
21. K. Padmavathy Thambai,
Postal Assistant (Retd.), Thrissur H.O.-680 001.
Residing at Deva Ragam, Kumarapuram Palace,
Eravimangalam P.O., Nadathara, Thrissur-680 751.
22. V.V.Dayavathi,
Postal Assistant (Retd.), Kunnamkulam H.O.-680 503.
Residing at Maliyekkal House, Winsure Nagar,
Nattika P.O., Thrissur --680 566.
23. C. Kshema Mathew,
Sub Postmaster (Retd.),
Chittattukara P.O.-680 511.
Residing at Panakkal House, Mission Road,
Kunnamkulam P.O., Thrissur --680 503.
24. G.Jayasree,
Sub Postmaster (Retd.),

Purantukara P.O. --680 551.
 Residing at Sudharsanam, H.NO. 295/12,
 Near SRK Madham, Puranattukara
 Thrissur-680 551.

25. T.K.Geetha,
 Sub Postmaster (Retd),
 Elthuruth, Thrissur-680 611.
 Residing at Flat No. D, Athulya Apartment,
 Adiyat Lane, Poothole, Thrissur -680 004.

26. K.Saraswathy,
 Sub Postmaster, Kaiparamba S.O.,
 Thrissur-680 546.
 Residing at Kezhukkotte House, P.O., Aloor,
 Via Mattom, Thrissur-680 602. Applicants

(By Advocate: Sri Vishnu S.Chempazhanthiyil)

Versus

1. Union of India, represented by Secretary and Director General
 Department of Posts, Dek Bhavan, New Delhi-110 001.

2. The Chief Postmaster General, Kerala Circle
 Thiruvananthapuram - 695 033.

3. The Senior Superintendent of Post Offices
 Thrissur Division, Thrissur-680 001.

4. The Superintendent of Post offices,
 Irinjalakuda Division, Irinjalakuda-680 121.

5. The Senior Superintendent of Post Offices
 Thiruvananthapuram North Postal Division
 Thiruvananthapuram-695 001.

6. The Superintendent of Post Offices
 Ottapalam Postal Division
 Ottapalam,-679 101. Respondents

(By Advocate: Sri K.C.Muraleedharan, ACGSC)

This Original Application having been heard on 19th February, 2018, the Tribunal on the same day delivered the following order:

O R D E R (oral)

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

Heard Sri Vishnu S.Chepazhanthiyil, learned counsel appearing for the applicants and Sri K.C.Muraleedharan, learned ACGSC appearing for the respondents.

2. In the common order dated 10.01.2018 in OA 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 regularization 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 A1: Copy of the DG, P&T letter No.60/36/80-SPB I dated 30.10.1980.
 Annexure A2: Copy of the DG, P&T New Delhi letter No.60-31/81-SPB-I dated 18.6.1982.
 Annexure A3: Copy of the DG, P&T letter No.60-31/81-SPB-I dated 8.3.1983.
 Annexure A4: Copy of the judgment dated 1.10.2013 in O.A.No.79/2011 and connected cases of the Hon'ble Court.

Annexure A5: Copy of the judgment dated 17.3.2017 in O.P.(CAT) No.114/2014 and connectedcases of the Hon'ble High Court of Kerala.

Annexure A6: Copy of the order in Special Leve Petition (Civil) Diary No.25442 of 2017 dated 10.11.2017 of the Hon'ble Supreme Court of India.