

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No.180/00203/2018

Thursday, this the 22nd day of February, 2018

CORAM:

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

1. Zeenath.S
Supervisor, CPC (CBS), Office of the CPMG
Thiruvananthapuram-695 033
Residing at Oasis MNRA-123, Avanavancherry P.O
Thiruvananthapuram-695 103
 2. Asitha Kumari.M.N
Sub Postmaster, Technopark Post Office-695 581
Residing at Vaishnavi, Kailas Nagar 44, Kazhakuttom
Thiruvananthapuram-695 582
 3. Geetha Kumari.S
Sub Postmaster, Vadasserikonam, Post Office-695 143
Residing at Geethanjali, Parakunnu, Navaikkulam
Thiruvananthapuram- 695 603
 4. Ruby Xavier
Postal Assistant, Ernakulam College P.O -682 035
Residing at Kovottuparambil House, K.P.Vallam Road
Kadavanthara, Kochi – 682 020
 5. Annamma Johnson @ Annamma M.A
Sub Postmaster, Thevara – 682 013
Residing at M 5/7, Seagull Street,
Willington Island - 682 003
- ... **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, Kerala - 695 033

3. The Senior Superintendent of Post Offices
Thiruvananthapuram North Postal Division
Thiruvananthapuram – 695 001
4. The Senior Superintendent of Post Offices
Ernakulam Postal Division, Kochi – 682 011 . . . **Respondents**

(By Advocate - Mr.N.Anilkumar,Sr.PCGC(R))

This Original Application having been heard on 22.2.2018, the Tribunal on the same day delivered the following:

O R D E R (O R A L)

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

Heard Mr.R.Sreeraj, Advocate representing Mr.Vishnu S.Chempazhanthiyil, learned counsel appearing for the applicants and Mrs.Thanuja, Advocate representing Mr.T.C.Krishna, Sr.PCGC 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 O.P (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.

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