

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

**Original Application Nos.180/00234/2018, 180/00238/2018
& 180/00242/2018**

Monday, this the 9th day of April, 2018

CORAM:

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

O.A No.180/00234/2018

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|----|---|-------------------------|
| 1. | V.G.Suresh Sorting Assistant, SRO, Tirur RMS-676 101 Residing at Valiaparambil House P.O Pazhuvil West, Thrissur – 680 564 | |
| 2. | K.Unnikrishnan Sorting Assistant, SRO, RMS Shornur – 679 121 Residing at Postal Quarters II/4, Shornur-679 121 | |
| 3. | B.Lekshmi Thankachy Postal Assistant (Retd.) Residing at Chithram, CRA-212 D, Chadiyara Poojappura P.O, Thiruvananthapuram-695 012 | 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 – 695 033.
3. The Superintendent of RMS
RMS Calicut Division, Calicut-673 032
4. The Superintendent of Post Offices
Thiruvananthapuram South Postal Division
Thiruvananthapuram-695 036

5. The Senior Superintendent
RMS TV Division, Thiruvananthapuram-695 001 **Respondents**

(By Advocate – Mr. P.R.Sreejith,ACGSC)

O.A No.180/00238/2018

1. K.K.Jagadamma
Postal Assistant, Pathanamthitta H.O-689 645
Residing at Vadakkekara House
Pannivizha, Adur, Kollam District-691 523
2. G.Muraleedharan
Postmaster, Pathanamthitta H.O-689645
Residing at Valiyatharayil Thannimootttil
Cheenkal Thadom P.O, Mylapra
Pathanamthitta District-689 671
3. P.Anitha
Postal Assistant, Pathanamthitta H.O – 689 645
Residing at Valiyatharayil Thannimootttil
Cheenkal Thadom P.O, Mylapra
Pathanamthitta District – 689 671
4. B.Sreekala
Sub Postmaster, Manchallur, Pathanamthitta-689 695
Residing at Chirathalackal Veedu
Karavalur, Punalur, Kollam District – 691 305
5. K.L.Valsalakumari
Sub Postmaster, Kadambanad, Pathanamthitta-691 552
Residing at Kailasam, Karuvatta, Thadathil Junction
Adur P.O, Pathanamthitta District-691523
6. G.Loosiyamma
Sub Postmaster, Thevalakkara, Kollam District-690 524
Residing at Pattoor House, Padinjattekara P.O
Thevalakkara, Kollam District – 690 524
7. N.V.Ganga
Postal Assistant, Pathanamthitta H.O-689 645
Residing at Valiyakalakizhakethil, Oonnukal P.O
Omallur, Pathanamthitta District-689 647

8. K.Syamala
Sub Postmaster, Mannady, Adur, Pathanamthitta-691 530
Residing at Mannoor House, Sooranadu Naduvil
Anayadi P.O, Kollam District – 690 561
9. K.Josephkutty
Postal Assistant, Punalur H.O-691 305
Residing at Kalpakasseril, Mathra P.O
Tholicode, Punalur, Kollam District – 691 333
10. V.J.Rooth
Sub Postmaster, Ranny Perinad-689 711
Residing at Postal Staff Quarters, Ranny-689 711
11. Sreevardhanan Namboothiry
Sub Postmaster, Payyanamon, Pathanamthitta-689 645
Residing at Panampappallil Illam, Malayalapuzha
Thazham P.O, Pathanamthitta District – 689 666
12. R.Mohanan
Postal Assistant, Adur H.O – 691 523
Residing at Sarath Bhavan, Panniyali
Omallur, Pathanamthitta District – 689 647
13. A.C.Gracy
Sub Postmaster, Vadasseriakara,
Pathanamthitta District – 689 662
Residing at Sruthi, Ranny, Perinad-689 711
14. T.Harikumar
Postal Assistant, Punalur HPO-691 305
Residing at Niyathi, Kura P.O
Chengamanadu
Kollam District – 691 557
15. S.Jayasree
Sub Postmaster, Omallur, Pathanamthitta District-689 647
Residing at Chaithram, Karimpanakuzhy
Pathanamthitta H.O-689 645
16. K.T.Revi
Sub Postmaster, Mylapra, Pathanamthitta District-689 671
Residing at Chikalayil House, Makkapuzha, Ranny-689 711

17. C.A.Jayasree
 Postal Assistant, Elanthur P.O
 Pathanamthitta District-689 643
 Residing at Krishnapriya , Elanthur
 Pathanamthitta District – 689 643
18. M.A.Nirmala
 Sub Postmaster, Kumbalampoika, Ranny – 689 661
 Residing at Vadakke Charuvil, Madmon P.O
 Ranny Perinad – 689 711
19. K.K.Nirmala
 Sub Postmaster, Kalanjoor, Pathanamthitta District-689 694
 Residing at Anu Bhavan, Kummannoor P.O, Konni-689 691
20. S.Sugantham
 Sub Postmaster , Ayur P.O, Kollam-691 533
 Residing at Soorya Gardens, Edamulackal
 Anchal, Kollam District-691 306 **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 – 695 033.
3. The Superintendent of Post Offices,
 Pathanamthitta Postal Division, Pathanamthitta-689 645
4. The Senior Superintendent of Post Offices,
 Kollam Postal Division, Kollam – 691 001
5. The Superintendent of Post Offices
 Thiruvalla Postal Division
 Thiruvalla-689 101 **Respondents**

(By Advocate – Mr. K.Kesavankutty,ACGSC)

O.A 180/00242/2018

1. Jose Thomas
Postal Assistant, Thiruvalla HPO – 689 101
Residing at Thykkottathil House, Othera P.O
Pathanamthitta District – 689 546
2. Soosan V.P
Sub Postmaster, Kuttoor P.O, Pathanamthitta District-689101
Residing at Thykkottathil House, Othera P.O
Pathanamthitta District-689 546
3. Lalithambika Devi.S
Postal Assistant, Chengannur H.O
Alappuzha District-689 121
Residing at Nayrmalyam, Keezhcherimel
Chengannur, Alappuzha District-689 121
4. Susannamma P.John
Sub Postmaster, NSH Mount P.O
Kottayam District-686 006
Residing at Valliakunnel, Nattakam P.O
Kottayam District – 686 013
5. Sumathy A.S
Sub Postmaster, Thadiyoor P.O
Pathanamthitta District – 689 545
Residing at Chirayel House, Kuravankuzhy P.O
Pullad, Pathanamthitta District – 689 548
6. Pushpakkumariamma P.G
Sub Postmaster, Theodical P.O
Pathanamthitta District-689 613
Residing at Kamalalayam
Thadiyoor, Pathanamthitta District-689 545
7. Suseela K
Sub Postmaster, Thiruvalla Market Jn P.O
Pathanamthitta District – 689 101
Residing at Thacharayil, Valanjavattom P.O
Thiruvalla, Pathanamthitta District – 689 104
8. Jayasree G
Sub Postmaster, Vaipur, Thiruvalla-689 588
Residing at Kausthubham, Kottanad P.O
Thiruvalla, Pathanamthitta District – 689 615

9. Kumari Rajeswari
 Sub Postmaster, Aranmula, Pathanamthitta District-689 533
 Residing at Krishna Vilas, Budhannoor P.O
 Puliyoor, Alappuzha District – 689 510
10. Blosom George
 Sub Postmaster, Puthencavu P.O,
 Alappuzha District – 689 123
 Residing at Malayil Thevarkattil
 Thekkemala P.O
 Kozhencherry-689 654
11. Beena Susan Mathew
 Postal Assistant, Head Post Office
 Thiruvalla – 689 101
 Residing at Thuthikkattu Jolly Villa
 Tholasserry, Thiruvalla, Pathanamthitta District-689 101
12. Sarojini.C.N
 Sub Postmaster, Valanjavattom
 Pathanamthitta District – 689 104
 Residing at Arunagiri, Kurathickadu, Mannar
 Alappuzha District – 689 622
13. Bhagya Lekshmy.S
 Sub Postmaster, Mepral, Pathanamthitta District-689 591
 Residing at Sai Sourabh House, Kavumbhagam P.O
 Thiruvalla, Pathanamthitta District – 689 102
14. Mallika P
 Retired Postal Assistant, Avalukunnu P.O
 Alappuzha-688 006
 Residing at Meenappallil House, South Aryad
 Avalukunnu P.O, Alappuzha District – 688 006 **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 – 695 033.

3. The Superintendent of Post Offices,
Thiruvalla Postal Division
Thiruvalla-689 101
4. The Superintendent of Post Offices
Pathanamthitta Postal Division, Pathanamthitta-689 645
5. The Superintendent of Post Offices
Kottayam Postal Disivion, Kottayam-686 001 **Respondents**

(By Advocate – Mr. K.C.Muraleedharan,ACGSC)

These Original Applications having been heard on 9.4.2018, the Tribunal on the same day delivered the following:

COMMON ORDER (ORAL)

Per: 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 these cases 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, these Original Applications are disposed of as above. No order as to costs. Incorporate a copy each of this Order in the case files of the above captioned Original Applications.

**(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER**

**(U.SARATHCHANDRAN)
JUDICIAL MEMBER**

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List of Annexures

O.A 180/234/2018

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 OP (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

O.A 180/00238/2018

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 OP (CAT) No.114/2014 and connected cases of the Hon'ble High Court of Kerala

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O.A No.180/00242/2018

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