

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00261/2018
Wednesday, this the 14th day of March, 2018

CORAM:

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

B.C.Anilkumar
Assistant Director (Mails), Office of the
Chief Postmaster General
Kerala Circle, Thiruvananthapuram – 695 033
Residing at Sree, Kalagramam
Karakulam, Thiruvananthapuram – 695 564

(By Advocate : Mr.Vishnu S Chempazhanthiyil)

Versus

1. Union of India, rep. 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
Thiruvananthapuram South Postal Division
Thiruvananthapuram-695 036
- ... **Respondents**

(By Advocate : Mr.Anil Ravi,ACGSC for R 1-3)

This application having been heard on 14.3.2018, the Tribunal on the same day delivered the following:

ORDER

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

Heard Mr.Vishnu S Chempazhanthiyil, learned counsel appearing for the applicant 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 applicant 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

APPLICANT'S ANNEXURES

Annexure A1 - True copy of the DG, P&T Letter No.60/36/80-SPB I dated 30.10.1980

Annexure A2- True copy of the DG, P&T, New Delhi letter No.60-31/81-SPB-I dated 8.3.1982

Annexure A3- True copy of the DG, P&T, Letter No.60-31/81-SPB-I dated 8.3.1983

Annexure A4- True copy of the judgment dated 1.10.2013 in O.A No.79/2011 and connected cases of the Hon'ble Court

Annexure A5- 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 A6- 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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