

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00027/2018

Thursday, this the 22nd day of March, 2018

CORAM:

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

1. C. Stanislaus,
Postal Assistant, Thirumala P.O., Thiruvananthapuram – 695 006,
Residing at 'Haven', Triveni Gardens, Pidaram, Perukavu,
Peyad P.O., Thiruvananthapuram – 695 573.
2. B. Jeyalekshmi,
Postal Assistant, Poojappura HPO,
Thiruvananthapuram – 695 012,
Residing at Pooram, Alampotta, Neyyattinkara P.O.,
Thiruvananthapuram – 695 121.
3. J. Mercy,
Sub Postmaster, Peyad P.O.,
Thiruvananthapuram - 695 573,
Residing Shalom, Perukavu, Peyad,
Thiruvananthapuram – 695 573.
4. M.M. Jayasree Antherjanam,
Sub Postmaster, PTP Nagar P.O.,
Thiruvananthapuram – 695 038,
Residing at Sreevalsam, T.C. 6/426-1,
VARA 132, Vattiyoorkavu P.O.,
Thiruvananthapuram – 695 013.
5. N. Sureshkumar,
Senior Clerk-In-Charge, Mail Motor Service,
Fort, Thiruvananthapuram – 695 023,
Residing at T.C. 49/503(6), ARA-30,
Chaithanya Garden, Konchiravila,
Manacaud P.O., Thiruvananthapuram – 695 009.
6. P.S. Maya,
Postal Assistant, Fort P.O.,
Thiruvananthapuram – 695 023.,
Residing at T.C. 49/503-6, Swathi,
Konchiravila, Manacaud P.O.,
Thiruvananthapuram – 695 009.

7. S.P. Kumari Sheeja,
Office Assistant, Postal Stores Depot,
Thiruvananthapuram – 695 023,
Residing at H. No. 38, Sree Nagar,
'Achyutham' Powdikonam P.O.,
Thiruvananthapuram – 695 588.
 8. Georgekutty Sebastian,
Sub Postmaster, Manimala,
Kottayam – 686 543,
Residing at Valloppilly,
Nedumkunnam, Kottayam – 686 542.
 9. N. Padmaja,
Postal Assistant, Peroorkada,
Thiruvananthapuram – 695 005, Residing at
Padma Sree, GNRA – B15, Gokulam Gardens,
Kowdiar, Thiruvananthapuram – 695 003.
 10. E.T. Sobhana,
Postal Assistant, Pettah P.O.,
Thiruvananthapuram – 695 024.,
Residing at Flat No. 210 H, DD Diamond District,
Pangappara, (Via) Kariavattom,
Thiruvananthapuram – 695 581.
 11. Geetha Thomas,
Sub Postmaster, Thiruvambadi,
Kozhikode – 673 603, Residing at
Pullolil House, Karasseri P.O., Mukkam,
Kozhikode – 673 602.
- **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,
Thiruvananthapuram South Postal Division,
Thiruvananthapuram – 695 036.

4. The Senior Superintendent of Post Offices,
Thiruvananthapuram North Postal Division,
Thiruvananthapuram – 695 001.
5. The Senior Superintendent of Post Offices,
Kozhikode Postal Division, Kozhikode – 673 005.
6. The Superintendent of Post Offices,
Kannur Postal Division, Kannur – 670 001.
7. The Superintendent of Post Offices,
Manjeri Postal Division, Manjeri – 676 121.
8. The Superintendent of Post Offices,
Changanacherry Postal Division,
Changanacherry – 686 101.

..... **Respondents**

(By Advocate – Mr. Thomas Mathew Nellimoottil, Sr. PCGC)

This Original Application having been heard on 20.03.2018, the Tribunal on the 22.3.2018 day delivered the following:

O R D E R

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 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 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 18.06.1982. |
| Annexure A-3 | - | True copy of the DG, P&T, Letter No. 60-31/81-SPB-I dated 08.03.1983. |
| Annexure A-4 | - | True copy of the judgment dated 01.10.2013 in O.A.No. 79/2011 and connected cases of the Hon'ble Court. |
| Annexure A-5 | - | True copy of the judgment dated 17.03.2017 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. |

List of Annexures of the Respondents

Nil.
