

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.170/00949/2016

DATED THIS THE 12TH DAY OF MARCH, 2018

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI P.K. PRADHAN, MEMBER(A)

Sri N. Krishnappa,  
S/o Late V.M. Narayanappa,  
Aged about 64 years,  
2045 C Block, Shahakarnagar,  
Bangalore-560 092.

...Applicant.

(By Advocate Shri V.V. Balan)

V/s.

1. Union of India.,  
Rep. by the Secretary,  
Department of Posts,  
Dak Bhavan,  
New Delhi-110 001.
2. The Chief Postmaster General,  
Karnataka Circle, Palace Road,  
Bangalore-560 001.
3. The Superintendent of RMS,  
Bangalore-560 026. ....Respondents.

(By Shri M. Rajakumar, Sr. Central Government Counsel)

O R D E R (ORAL)HON'BLE DR K.B. SURESH, MEMBER(J)

Heard. This matter seems to be covered by our order in OA.No. 809/2016 dated 28.4.2017, which was based on Hon'ble High Court of Madras order in W.P. No.30629/2014 dated 04.02.2015. Apparently, the matter was taken to Hon'ble Supreme Court in SLP. No.4848/2016 and the Hon'ble Apex

Court vide order dated 16.8.2016 dismissed the SLP and the matter has become final.

2. At this point, learned counsel for the respondents submits that in the SLP the Hon'ble Apex Court mentioned that the question of law is left open. Therefore, it is open to the respondents to take up the matter once again to the Hon'ble Apex Court and get the question of law cleared in this respect. But till it is negatively taken up against the applicant and the people like him, the benefit of the order will be allowed to all of them parimateria, or the equality clause of Constitution under Article 14 will be defeated.

3. Therefore, the OA is allowed on the same track as stated above. Same benefits to be extended to the applicant herein also. No order as to costs.

(P.K. PRADHAN)  
MEMBER(A)

(DR. K.B. SURESH)  
MEMBER(J)

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Annexures referred to by the applicant in OA.No.949/2016

Annexure A-1: Copy of letter dated 31.3.1973.

Annexure A-2: Copy of letter dated 31.5.1973.

Annexure A-3: Copy of letter dated 07.4.1979.

Annexure A-4: Copy of letter dated 29.9.1979.

Annexure A-5: Copy of letter dated 25.1.2006.

Annexure A-6: Copy of letter dated 29.6.2016.

Annexure A-7: Copy of letter dated 19.9.2016.

Annexure A-8: Copy of Gradation list.

Annexures referred to by the respondents in the Reply

Annexure R-1: Copy of OM dated 18.9.2009.

Annexure R-2: Copy of the Judgement in WP(C) 4131/2014 dated 29.9.2014 of High Court of Delhi.

Annexure R-3: Copy of the Judgement in WP(C) 2806/2016 dated 01.04.2016 of High Court of Delhi.

Annexure R-4: Copy of the Judgement in OA.No.1259/2014 dated 2.2.2016 of CAT, Bangalore Bench.

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