

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

OA No. 291/268/2017 with MA No. 291/219/2017,
OA No. 291/269/2017 with MA No. 291/220/2017,
OA No. 291/270/2017 with MA No. 291/221/2017,
OA No. 291/271/2017 with MA No. 291/222/2017,
OA No. 291/272/2017 with MA No. 291/223/2017,
OA No. 291/273/2017 with MA No. 291/224/2017,
OA No. 291/278/2017 with MA No. 291/229/2017,
OA No. 291/279/2017 with MA No. 291/225/2017,
OA No. 291/280/2017 with MA No. 291/227/2017,
OA No. 291/281/2017 with MA No. 291/228/2017,
OA No. 291/282/2017 with MA No. 291/226/2017,
OA No. 291/306/2017, OA No. 291/307/2017,
OA No. 291/308/2017, OA No. 291/309/2017,
OA No. 291/310/2017, OA No. 291/311/2017,
OA No. 291/312/2017, OA No. 291/313/2017,
OA No. 291/314/2017, OA No. 291/315/2017,
OA No. 291/316/2017, OA No. 291/317/2017,
OA No. 291/318/2017, OA No. 291/319/2017,
OA No. 291/320/2017, OA No. 291/322/2017,
OA No. 291/323/2017, OA No. 291/324/2017,
OA No. 291/325/2017, OA No. 291/326/2017 &
OA No. 291/327/2017

DATE OF ORDER: 26.04.2018

CORAM

HON'BLE MR. UDAY KUMAR VARMA, ADMINISTRATIVE MEMBER
HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER

OA No. 291/268/2017 with MA No. 291/219/2017

Naresh Chand Jain S/o Kirodi Lal Jain, aged about 53 years, r/o village and post Nangal Pahadi, Distt. Karauli, Teh. Toda Bheem, presently working as GDS/MC Nangal Pahadi since 1/7/1982.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/268/2017 with 31 other connected OAs

OA No. 291/269/2017 with MA No. 291/220/2017

Shri Kadamb Singh Gujar S/o Shri Bhanwar Singh Gujar, aged about 62 years, R/o Village and Post Chandan Via Shri Mahaveer Ji, District Karauli, presently working as BPM Chandan since 17/2/1989.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/270/2017 with MA No. 291/221/2017

Lakhan Singh S/o Shri Ram Khiladi, aged about 57 years, r/o Jatnagla Dhidora, Teh. Hindaun, Karauli, presently working as BPM Jatnangla.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/271/2017 with MA No. 291/222/2017

Suresh Chand Sharma S/o Shri Kalyan Prasad Sharma, aged about 59 years, R/o Village and Post Nisura Via Shri Mahaveer Ji, Distt. Karauli, presently working as BPM Nisura.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.

OA No. 291/268/2017 with 31 other connected OAs

2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/272/2017 with MA No. 291/223/2017

Roop Ram Sharma s/o Shri Kishori Lal Sharma, aged about 49 years, R/o BPO Lapawali via Hindaun, Distt. Karauli, presently working as since 2/1/1990.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/273/2017 with MA No. 291/224/2017

Damodar Sharma S/o Ramswaroop Sharma, aged about 58 years, R/o Mukaam Jhandu Ka Pura, outside of Railway Phatak, Mahua Road, Hindaun, Karauli, presently working as EDDA/MC, Hindaun HO since 1/12/1983.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/278/2017 with MA No. 291/229/2017

Shyam Sunder Sharma S/o Vishmber Dayal Sharma, aged about 49 years, R/o Village and Post Balghat, Teh. Todabheem, District

OA No. 291/268/2017 with 31 other connected OAs

Karauli, presently working as GDSDA, Sub Post Office Balghat since 19/5/1988.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/279/2017 with MA No. 291/225/2017

Laxman Kumar Jatav S/o Natholi Ram, aged about 58 years, R/o Village Khurastpura, Post Jagar, Teh. Hindaun, Karauli, presently working as GDS/BPM, Jagar B.O. since 5/2/1980.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/280/2017 with MA No. 291/227/2017

Hari Ram Gujar S/o Padm Singh Gujar, aged about 59 years, R/o Village Devlane, Teh. Todabheem, District Karauli, presently working as BPM Devlane.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.

OA No. 291/268/2017 with 31 other connected OAs

3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/281/2017 with MA No. 291/228/2017

Kunwar Singh Dagur S/o Kishan Lal, aged about 55 years, R/o Village Hukumikheda, Post Dhindora, Teh. Hindaun, Karauli, presently working as BPM Hukumikheda B.O. since 21/5/1983.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/282/2017 with MA No. 291/226/2017

Radha Mohan Sharma S/o Shri Hari Ram Sharma, aged about 44 years, R/o Village Bamanpura, Post Jagar, Teh. Hindaun, Karauli, presently working as GDS/MD Jagar B.O. since 24/7/1999.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. Rajendra Vaish, counsel for respondents.

OA No. 291/306/2017

Brijmohan Sharma S/o Shri Ganpat Lal Sharma, aged about 62 years, r/o Village and post Jatwada (Suroth), Teh. Hindaun,

OA No. 291/268/2017 with 31 other connected OAs

District Karauli, presently working as Branch Post Master Jatwada (Suroth).

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/307/2017

Prahalad Lal Gaud S/o Shri Ratan Lal Gaud, aged about 63 years, r/o Post Dargavar Post Pacholi, Teh. Mandrayal, District Karauli, presently working as Branch Post Master Toda (Keladevi) Karauli.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/308/2017

Mukesh Kumar Meena S/o Shri Mausaria, aged about 35 years, r/o Village and post Bhukhrawali, Teh. Hindaun, District Karauli, presently working as GDSMC Tali, S.O. Suroth.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.

OA No. 291/268/2017 with 31 other connected OAs

3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/309/2017

Ramniwas Sharma S/o Shri Murari Lal Sharma, aged about 51 years, r/o Village and post Tali, Suroth, District Karauli, presently working as Branch Post Master Tali, Suroth.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/310/2017

Hari Kishan S/o Shri Anand, aged about 63 years, r/o Village and post Hukumikheda, Via Thithar, Teh. Hindaun, District Karauli, presently working as EDMC Hukumikheda, Hindaun.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/311/2017

Ram Prakash Dagur S/o Shri Gyarsi, aged about 59 years, r/o Village and post Vijayapura, Via Dhidora, Teh. Hindaun, District Karauli, presently working as EDMC BO Vijayapura, Hindaun since 21/12/1978.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

OA No. 291/268/2017 with 31 other connected OAs

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/312/2017

Hari Singh Gujar S/o Shri Ram Ji Lal Gujar, aged about 65 years, r/o Village and post Katara Ajeej, Via Hindaun, Teh. Hindaun, District Karauli, presently working as GDS Katara Ajeej, Hindaun since 16/06/1981.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/313/2017

Trilok Chand Jain S/o Shri Hajari Lal Jain, aged about 60 years, r/o Village and post Sherpur via Dhidora, Teh. Hindaun, District Karauli, presently working as GDS Sherpur since 05/09/1981.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/314/2017

Brahmram Sharma S/o Shri Damodar Lal Sharma, aged about 60 years, r/o Village and post Jatwada, Suroth, Teh. Hindaun,

OA No. 291/268/2017 with 31 other connected OAs

District Karauli, presently working as EDDA, Jatwada Suroth, Karauli.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/315/2017

Sumer Singh S/o Shri Bajrang Singh, aged about 59 years, r/o Village and post Salempur, Via Hindaun, District Karauli, presently working as EDBPM BO Salempur since 20/02/1979.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/316/2017

Jagdish Koli S/o Shri Ramji Lal Koli, aged about 43 years, r/o Village and post Kheri Hewat, Dhindora, Teh. Hindaun, District Karauli, presently working as GDSBPM Kheri Hewat.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/268/2017 with 31 other connected OAs

OA No. 291/317/2017

Devi Singh Dagur S/o Shri Kishan Singh, aged about 60 years, r/o Village and post Jatnagla, Teh. Hindaun, District Karauli, presently working as GDS/DA Jatnagla.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/318/2017

Atar Singh S/o Shri Sampat, aged about 58 years, r/o Village and post Jatnagla via Dhindora, Teh. Hindaun, District Karauli, presently working as EDMC Sherpur since 28/6/1980.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/319/2017

Bhagchand Jain S/o Late Shri Niranjan Lal Jain, aged about 58 years, r/o Village and post Dehra, Teh. Hindaun, District Karauli, presently working as GDS BPM Dehra since 13/9/1979.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.

OA No. 291/268/2017 with 31 other connected OAs

3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/320/2017

Haricharan Lal S/o Shri Shyam Lal, aged about 61 years, r/o Village and post Popali, Teh. Hindaun, District Karauli, presently working as EDBPM.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/322/2017

Keshav Chand Meena S/o Shri Omi Meena, aged about 22 years, r/o Village and post Bhopar, Teh. Todabheem, Karauli, Rajasthan, presently working as BPM Bhopar, Hindaun HO.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/323/2017

Harish Chand Sharma S/o Shri Murari Lal Sharma, aged about 55 years, r/o Village and post Fajilabad, P.O. Mandawara, Teh. Hindaun, District Karauli, presently working as GDS EDDA Mandawara.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

OA No. 291/268/2017 with 31 other connected OAs

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/324/2017

Bhagwat Prasad Sharma S/o Shri Laxman Sharma, aged about 57 years, r/o Village and post Nangal Pahadi via Baalghaat, Teh. Todabheem, District Karauli, presently working as BPM Nangal Pahadi, Karauli since 27/12/2000.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/325/2017

Balkrishan Sharma S/o Shri Vishhambardayal Sharma, aged about 59 years, r/o Village and post Chobey Pada, near School No.8, Behind Ganesh Temple, Teh. Hindaun, District Karauli, presently working as GDS DA Hindaun H.O. Karauli since 14/06/1980.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/326/2017

Hari Prasad Sharma S/o Shri Devi Lal Sharma, aged about 60 years, r/o Village and post Hukumikheda, Teh. Hindaun, District Karauli, presently working as GDS Hindaun since 11/06/1996.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

OA No. 291/327/2017

Man Singh Chauhan S/o Late Shri Prabhu Singh Chauhan, aged about 59 years, r/o Village Sahira Post Nahida via Kherla, Teh. Mahwa, District Dausa, presently working as GDSDA Hindaun H.O. since 5/10/1979.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

VERSUS

1. Union of India through the Secretary to the Govt. of India cum Director General, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-7.
3. The Superintendent Post Offices, Sawaimadhopur Division, Sawaimadhopur, Rajasthan.

....Respondents

Mr. V.D. Sharma, counsel for respondents.

ORDER (Oral)

Per: SURESH KUMAR MONGA, JUDICIAL MEMBER

With the consent of learned counsels for the parties, OA No. 291/268/2017, OA No. 291/269/2017, OA No. 291/270/2017, OA No. 291/271/2017, OA No. 291/272/2017, OA No. 291/273/2017, OA No. 291/278/2017, OA No. 291/279/2017, OA No. 291/280/2017, OA No. 291/281/2017, OA No. 291/282/2017, OA No. 291/306/2017, OA No. 291/307/2017,

OA No. 291/308/2017, OA No. 291/309/2017, OA No. 291/310/2017, OA No. 291/311/2017, OA No. 291/312/2017, OA No. 291/313/2017, OA No. 291/314/2017, OA No. 291/315/2017, OA No. 291/316/2017, OA No. 291/317/2017, OA No. 291/318/2017, OA No. 291/319/2017, OA No. 291/320/2017, OA No. 291/322/2017, OA No. 291/323/2017, OA No. 291/324/2017, OA No. 291/325/2017, OA No. 291/326/2017 & OA No. 291/327/2017 are taken up together for disposal as a common question of law and facts is involved in all these cases.

2. The applicants are working as Gramin Dak Sevaks in the Postal Department. Their grievance is that they are holding the post of Gramin Dak Sevaks under the administrative control of the State but still they are not being treated as civil post holders. They have invoked the jurisdiction of this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking a direction to the respondents to allow them the status of civil servants and the benefits attached with the civil posts.

3. The issue involved in all these matters is no longer res-integra. It has already been held by the Hon'ble Supreme Court in Writ Petition (Civil) No. 17/2009 (Vinod Kumar Saxena & Ors. vs. Union of India & Ors.) vide order dated 09.12.2014 that the Gramin Dak Sevaks are to be treated as civil post holders. The order of the Hon'ble Supreme Court reads thus:

"In view of the aforesaid analysis, the writ petitioners are treated as civil post holders and, therefore, they can agitate their grievances, what they have put forth in this writ petition, before the Central Administrative Tribunal, Principal Bench, New Delhi and the tribunal shall advert to the same in their proper perspective."

Consequent upon the aforesaid order dated 09.12.2014 passed by the Hon'ble Supreme Court in Writ Petition (Civil) No. 17/2009 (Vinod Kumar Saxena & Ors. vs. Union of India & Ors.), O.A. No. 749/2015, 3540/2015 and 613/2015 were preferred before the Principal Bench of this Tribunal, which came to be disposed of by a common order dated 17th November, 2016 and while summarizing the issue, the following directions were issued to the respondents:

“(a) For all Gramin Dak Sevaks, who have been absorbed as regular Group ‘D’ staff, the period spent as Gramin Dak Sevak will be counted in toto for the purpose of pensionary benefits.

(b) Pension will be granted under the provisions of CCS (Pension) Rules, 1972 to all Gramin Dak Sevaks, who retire as Gramin Dak Sevak without absorption as regular Group ‘D’ staff, but the period to be counted for the purpose of pension will be 5/8th of the period spent as Gramin Dak Sevak. Rule 6 will accordingly be amended.

(c) The Gramin Dak Sevaks (Conduct and Engagement) Rules, 2011 are held to be valid except Rule 6, as stated above.

(d) The claim of Gramin Dak Sevaks for parity with regular employees regarding pay and allowances and other benefits available to regular employees, stands rejected. “

4. Following the judgment/order dated 17th November, 2016 rendered by the Principal Bench of this Tribunal in O.A. No. 749/2015 (Shri Vinod Kumar Saxena & Ors. vs. Union of India & ors.) with 2 connected OAs (supra), this Bench of the Tribunal has already disposed of a bunch of cases on 03.11.2017 including O.A. No. 177/2017 (Udai Lal Malav vs. Union of India & ors.) wherein the applicants have been held to be entitled to the same benefits as have been granted by the Principal Bench of this Tribunal in the said cases.

5. However, Shri Rajendra Vaish, learned counsel for the respondents contends that the grant of benefit in terms of order dated 17/11/2016 passed the Principal Bench of this Tribunal would create huge financial implication for the Government and the said benefit cannot be granted in view of law laid down by the Hon'ble Supreme Court in the case of State of Punjab & Ors. vs Amar Nath Goyal & Ors., 2005 (3) SCT 770.

6. We do not find any substance in the argument raised by Shri Vaish as the facts and circumstances in the case of Amar Nath Goyal & Ors. (supra) are totally different and the principle enunciated therein cannot be applied in the case in hand. In the said case, Hon'ble Supreme Court was examining a question, as to whether the decision of Central and State Governments restricting the revision of the quantum of gratuity as well as the increased ceiling of gratuity consequent upon merger of a portion of dearness allowance into dearness pay reckonable for the purpose of calculating gratuity, was irrational or arbitrary. While examining the said question, the argument of the employees claiming parity with the employees who retired or died on or after 01/04/1995 was negated by the Hon'ble Supreme Court in the light of a conscious decision taken by the Government, wherein the cut-off date i.e. 01/04/1995 was justified on the basis of recommendations made in the interim report of the 5th Central Pay Commission.

7. Whereas, the Principal Bench of this Tribunal vide order dated 17/11/2016 while issuing the directions that the period spent as Gramin Dak Sevaks will be counted in toto for the purpose of pensionary benefits in the cases where the Gramin Dak Sevaks have been absorbed as regular Group 'D' staff and

the pension will be granted under the provisions of CCS (Pension) Rules, 1972 to all those Gramin Dak Sevaks who retire without getting themselves absorbed as regular Group 'D' staff, also kept in view the order passed by the Hon'ble Supreme Court in Writ Petition (Civil) No. 17/2009 (Vinod Kumar Saxena & Ors. vs. Union of India & Ors.) wherein they are ordered to be treated as civil post holders.

8. In this view of the matter, we are unable to accept the plea raised by learned counsel for the respondents that since huge financial implications are involved, therefore, this Bench of the Tribunal should take a view other than the view already taken by the Principal Bench of the Tribunal.

9. In the conspectus of discussions made herein above, the present Original Applications are also disposed of in terms of the order dated 17th November, 2016 passed by the Principal Bench of this Tribunal in OA No. 749/2015 (Shri Vinod Kumar Saxena & Ors. vs. Union of India & Ors.) with 2 connected OAs (supra) with the observations that all the applicants herein shall also be entitled to the same benefits as have been granted by the Principal Bench of this Tribunal in the said cases.

10. Accordingly, all these Original Applications are disposed of in the same terms as aforesaid.

11. Ordered accordingly. No order as to costs.

12. All pending MAs in these cases are rendered infructuous.

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

(UDAY KUMAR VARMA)
ADMINISTRATIVE MEMBER