

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH : BANGALORE

ORIGINAL APPLICATION No. 170/00756-757/2017

WIT H

ORIGINAL APPLICATION No. 170/00064/2018

WIT H

ORIGINAL APPLICATION No. 170/00137/2018

TODAY, THIS THE 19th DAY OF NOVEMBER, 2018

**HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER
HON'BLE SHRI DINESH SHARMA, ADMINISTRATIVE MEMBER**

O.A. No. 756-757/2017

1. B.R. Ananda,
Age: 44 years,
S/o B.N. Rangappa,
Working as SPM,
Koramangala I Block,
Bangalore – 560 034
Residing at:
No. 165, Dommasandra Circle,
Opp to APL Near New Tech Motor,
Bannerghatta road,
Bangalore – 562 125

2. Ramesh M,
Age: 41 years,
S/o Maregowda,
Working as Postal Asst,
Jayanagar HQ,
Bangalore – 560 041
Residing at:
No. 27, Mathru Krupa,
5th Main, 13th Cross,
A.D. Halli, Basaveshwarnagar,
Bangalore – 560 079

...

Applicants.

(By Advocate Shri P. Kamalesan)

Vs.

1. Union of India

Represented by Secretary,
Department of Post,
Dak Bhavan,
New Delhi – 110 001

2. Chief Post Master General,
Karnataka Circle,
Bangalore – 560 001

3. Senior Superintendent of Post Offices,
Bangalore South Division,
Bangalore – 560 041

... Respondents.

(By Shri K. Gajendra Vasu, Senior Panel Counsel)

O.A. No. 64/2018

B.N. Narashimamurthy,
Age: 54 years,
S/o Late T.R. Nagaraj Rao,
Working as Post Man,
Banashankari III stage P.O.
Bangalore – 560 085
Residing at:
No. 776, 15th Main,
Srinivasa Nagar,
Bangalore – 560 050

... Applicant.

(By Advocate Shri P. Kamalesan)

Vs.

1. Union of India,
Through Secretary,
Department of Post,
Dak Bhavan,
New Delhi

2. Chief Post Master General,
Karnataka Circle,
Bangalore – 560 001

3. Senior Superintendent of Post Offices,
 Bangalore South Division,
 Bangalore – 560 041 ... Respondents.

(By Shri S. Sugumaran, Counsel for the Respondents)

O.A. No. 137/2018

Basavaraj Hadpad
 S/o Channappa Hadpad,
 Aged about 55 years,
 Working as Mail Overseer-I,
 Sedam SO – 585 222
 Kalaburgi District
 Residing at:
 Allure P.O. – 585 222,
 Chitapur Taluk,
 Kalaburgi Dist ... Applicant.

(By Advocate Shri P. Kamalesan)

Vs.

1. Union of India,
 Represented by its Secretary,
 Department of Post,
 Dak Bhavan,
 New Delhi – 110 001
2. Chief Post Master General,
 Karnataka Circle,
 Bangalore – 560 001
3. Post Master General,
 N.K. Region,
 Dharwad – 580 001
4. Senior Superintendent of Post Offices,
 Kalaburgi Postal Division,
 Kalaburgi – 585 101 ... Respondents.

(By Shri S. Sugumaran, Counsel for the Respondents)

O R D E R

(HON'BLE SHRI DINESH SHARMA, ADMINISTRATIVE MEMBER)

The issue involved in all the three O.As mentioned above is the same and hence these are being disposed of by this common order.

2. The applicants in these O.As were appointed as Postman and were serving as such before 1.1.2006. The 6th CPC recommended the entry pay scale of Postman as Rs. 6460 + 2000 Grade Pay in the pay scale of Rs. 5200-20200. The applicants' pay have been fixed as Rs. 6240 + 2000 GP from 1.1.2006 which is less than the recommended pay of Postman employed after the 6th CPC came into force. Similarly situated Postman had filed an O.A. before this Tribunal (O.A. No. 1553 to 1562 of 2013) and this Tribunal vide order dated 30.06.2015 directed the respondents to grant the minimum pay of Rs. 6460 + 2000 GP to the applicants in those O.As with effect from 1.1.2006. This order of the Tribunal was upheld by the Hon'ble High Court of Karnataka and the SLPs filed by the respondents therein were dismissed by the Apex Court vide order dated 11.08.2017. The applicants have requested for grant of the same relief to them.

3. The respondents, in their reply, have denied the claims of the applicants. Besides others, it is mainly on ground that the decision of CAT in earlier O.As applied only to the applicants in those cases and cannot be generally applied in all cases. However, at the time of hearing of the case, the counsel for the respondents informed that this anomaly is being corrected through a general order by the respondent-department and the same will redress the grievance of the applicants also. In these circumstances, the O.As are disposed of with a direction to the respondents to grant the relief

claimed by the applicants in accordance with this Tribunal's earlier orders in O.A. No. 1553 to 1562 of 2013 dated 30.06.2015 which was upheld by the Hon'ble High Court of Karnataka in W.P. No. 36923/2016 and other connected cases vide order dated 25.08.2016. This should be done through a general order, or specific orders, if necessary, within two months from the date of receipt of a copy of this order. No orders as to costs.

**(DINESH SHARMA)
ADMINISTRATIVE MEMBER**

**(DR. K.B. SURESH)
JUDICIAL MEMBER**

Cvr.

Annexures referred in O.A. No. 170/00756-00757/2017

Annexure-A1: Copy of the Central Administrative Tribunal, Bangalore Bench order dated 30.06.2015 in O.A. No. 1553-1562/2014

Annexure-A2: Copy of the Hon'ble High Court of Karnataka order in Writ Petition No. 32846-32555/2016

Annexure-A3: Copy of the Hon'ble Apex Court order dated 11.08.2017 in SLP No. 002286/2017

Annexure-A4: Copy of the representation of the applicant dated 17.10.2017 and 05.10.2017

Annexure-A5: Copy of the SPPO letter dated 01.11.2017 and 26.10.2017

Annexures with reply statement

Annexure-R1: Copy of the OM dated 13.10.2008

Annexures referred in O.A. No. 170/00064/2018

- Annexure-A1: Copy of the SSPO letter dated 01.11.2002
- Annexure-A2: Copy of the representation of the applicant dated 05.08.2016
- Annexure-A3: Copy of the Post Master, Jayanagar letter dated 20.08.2016
- Annexure-A4: Copy of the representation dated 23.08.2016
- Annexure-A5: Copy of the SSPO, Bangalore South Division letter dated 18.09.2017
- Annexure-A6: Copy of the Central Administrative Tribunal, Bangalore Bench order dated 30.06.2015 in O.A. No. 1553 to 1562/2013
- Annexure-A7: Copy of the Hon'ble High Court of Karnataka order dated 25.08.2016 in Writ Petition No. 136923/16
- Annexure-A8: Copy of the Hon'ble Apex Court order dated 11.08.2017
- Annexure-A9: Copy of the Secretary, Department of Post letter dated 14.12.2017

Annexures referred in O.A. No. 170/00137/2018

- Annexure-A1: Copy of the representation dated 30.12.2015
- Annexure-A2: Copy of the PMG letter dated 09.10.2017
- Annexure-A3: Copy of the Central Administrative Tribunal, Bangalore Bench order dated 30.06.2015 in O.A. No. 1553-1562/2013
- Annexure-A4: Copy of the Hon'ble High Court of Karnataka order dated 25.08.2016 in Writ Petition No. 36923/2016
- Annexure-A5: Copy of the Hon'ble Apex Court order dated 11.08.2017 in SLP No. 2286-2295/2017
- Annexure-A6: Copy of the Government of India letter dated 14.12.2017

Annexures with reply statement

- Annexure-R1: Copy of the OM dated 13.10.2008