

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 29th day of November Two Thousand And Eighteen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A. 310/1293/2013

A. Ashok Kumar,
S/o. T. Arumugam,
No.59/7, Natham Malai Street,
Big Natham,
Chengalpet-603 002.Applicant

(By Advocate: Mr. R. Malaichamy)

Versus

1. Union of India Rep. by
The Senior Superintendent of Post Offices,
Tambaram Division,
Tambaram,
Chennai- 600 045. ...Respondent

(By Advocate: Mr. C. Kulanthaivel)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

This OA is filed by the applicant seeking the following reliefs:-

“1. To call for the records of the 1st respondent pertaining to his notification made in No.B3/245 dated 07.06.2013 and set aside the same, consequent to and

2. direct the Respondents to regularize/absorb the applicant as GDS BPM at Kolapakkam BO a/w Melakottaiyur SO with all attendant service benefits.”

2. Learned counsel for the applicant seeks to rely on the common order of this Tribunal in OAs No. 1208/2013, 1295/2013, 1296/2013, 1607 of 2013 and 1141 of 2013 dated 06.08.2018 in which a direction was given to the authorities to confer the benefits of the decisions of A. Suguna in W.P. 5026/2003 & Gurusamy in W.P. No.27274 of 2004 dated 23.1.2006 for inclusion of the applicants in the dovetailed seniority list prepared in terms of 23.12.1993 scheme, as applied to A. Saguna, a 1998 appointee and to issue appropriate orders.

3 It is submitted that the applicant herein was engaged in 1989 itself in a similar capacity and, therefore, the benefits granted to persons engaged in 1993 & 1998 could not be denied to the applicant. As a matter of fact, the applicant is still working as GDS without interruption and, therefore, had a better claim than the applicants therein.

4. Learned counsel for the respondents would, however, submit that the respondents are in the process of challenging the order of the Tribunal before the Hon'ble High Court of Madras and, therefore, the matter could not be said to have attained finality. However, he would admit that the applicant herein is similarly placed as the applicants in the aforesaid OAs in terms of his engagement as a substitute in GDS in Group -C vacancies and, therefore, in the event of the Hon'ble High Court upholding the Tribunal's order, the applicant could be considered for grant of similar benefits.

5. Keeping in view the above submission, as it is admitted that the applicant is similarly placed as of the applicant in the aforesaid OAs, the respondents are directed to grant the same benefit to the applicant herein as the applicants' in the OAs cited above subject to the outcome of the Writ Petitions, if any filed before the Hon'ble High Court. The OA is disposed of accordingly. No costs.

(R. RAMANUJAM)
MEMBER (A)

29.11.2018

Asvs.