

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**OA-1736/2019
MA -1903/2019**

New Delhi, this the 31st day of May, 2019

Hon'ble Sh. R.N. Singh, Member(J)
Hon'ble Sh. Mohd. Jamshed, Member(A)

1. Kapoor Singh, Aged-67 Years, Group –“C”,
S/o Sh. Raghu Nath,
Retired as Postman while working,
Under Chief post Master, Ashok Vihar,
Delhi.
R/o 305, vill. & PO mukhrverlpur, Delhi – 36.
2. Raj Kumar, Aged-65 years, Group –“C”,
S/o Sh. Bhim Singh,
Retired as Postman while working,
Under Chief Post Master, Ashok Vihar,
Delhi.
R/o Vill.& PO BindhRolli, Distt.
Sonapat (Har).
3. Raghubir Singh, Aged-61 years, Group- “C”,
S/o Sh. Jage Ram,
Retired as Postman while working,
Under Chief Post Master, Ashok Vihar,
Delhi.
R/o Vill.& PO Ranohola, Delhi – 36.
4. Ramesh Chand Vashisht, Aged- years, Group – “C”
S/o late Sh. Bhim Singh Vashisht,
Retired as Postman from SSPO,
North Division, Delhi,
R/o Vill & PO Prahladpur Bangar,
Delhi – 110012.
5. Prem Prakash, Aged-63 years, Group-“C”,

S/o Sh. Tek Chand,
Retired as Postman from SSPO,
West Division, New Delhi.
R/o RZ-149, Roshan Garden, Najafgarh,
New Delhi.

...Applicants

(through Mr. Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Ministry of Communication,
Department of Post,
Dak Bhawan, New Delhi.

2. The Chief Post Master,
Delhi Circle, Ashok Vihar,
Delhi – 52.

...Respondents

(through Mr. G. S. Virk)

ORDER(ORAL)

Hon'ble Mr. R.N. Singh, Member (J)

Heard Mr. Yogesh Sharma, learned counsel for the applicants. By way of M.A. No. 1903/2019, the applicants have prayed for permission to file the O.A. No. 1736/2019, jointly. It has been contended by the applicants that all of them are identically placed and the grievances raised by them in the present O.A. are similar.

2. By way of the present O.A. No. 1736/2019, the applicants have prayed for the following reliefs:-

“(i) That the Hon’ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not granting the 2nd financial up-gradation to the applicants in the grade pay of Rs. 2800/- from the date of completion of 20 years of qualifying service from the date of appointment to the post of postman and 3rd financial up-gradation on completion of 30 years of service, is illegal, arbitrary and discriminatory and consequently pass an order directing the respondents to grant 2nd financial up-gradation to the applicants from the date of completion of 20 years of service in the grade pay of Rs. 2800/- under MACP Scheme to all the applicants and 3rd financial up-gradation in the grade pay of Rs. 4200/- to those who have completed 30 years of service under MACP Scheme with all consequential benefits including the arrears of difference of pay and allowances and including the revision of retirement benefits with interest by way of extending the benefits of judgment dated 02.08.2016 passed by the CAT Principal Bench in OA No. 1533/2015.

“(ii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicant with the costs of litigation.”

3. The learned counsel for the applicants submits that the claim of the applicants is squarely covered by the order/judgment dated 02.08.2016 of this Tribunal in O.A. No. 1533/2015 (Annexure A/2) and similar benefits have been given to the applicants in O.A. No. 1533/2015. However, the respondents have not granted the similar benefits to the applicants in the present O.A.

4. Aggrieved of the same, a few applicants have got legal notices dated 05.04.2019 (Annexure A/1) issued through their counsel and a few applicants have made individual representations

dated 05.02.2019 to the respondents (Annexure A/1). However, the same are still pending consideration of the respondents.

5. Issue notice to the respondents. Mr. G. S. Virk, learned counsel, on receipt of advance service, accepts notice on behalf of the respondents.

6. The learned counsel for the applicants submits that the applicants shall be satisfied, if the present O.A. is disposed of at this stage very stage, with directions to the respondents to consider aforesaid pending notice(s) and representation(s) of the applicants and pass appropriate orders in time bound manner. There is no objection from the learned counsel for the respondents to this effect.

7. In view of the aforesaid and for the reasons recorded in the M.A. and also keeping in view no objection from the learned counsel for the respondents, the M.A. No. 1903/2019 is allowed. The O.A. No. 1736/2019 is disposed of with directions to the respondents to consider the notice(s) and representation(s) made by the applicants and dispose of the same by passing reasoned and

speaking order within eight weeks of receipt of certified copy of this order. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(R. N. Singh)
Member(J)

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