

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.2868/2019

Monday, this 14th Day of October, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr Mohd. Jamshed, Member (A)**

Sh. Jugendra Singh
S/o Late Meerpal Singh
Aged 72 years
R/o Village & Post Office- Mondona,
Near B.B.Nagar, Dist. Bulandsahar
U.P. 203402

.....Applicant

(Mr. S P Singh, Advocate)

-Versus-

1. Union of India through
The Secretary, Govt. of India
Ministry of Communication, Department of Posts
Dak Tar Bhawan, New Delhi.
2. Chief Postmaster General,
U.P. Circle, Lucknow-226001.
3. Postmaster General,
Bareilly Region,
Bareilly.
4. Superintendent of Post Offices,
Ghaziabad Division,
Ghaziabad.
5. Chief Accounts Officer (Pension)/
DAP U.P. Circle,
Lucknow-226024.
6. Sh. Shiv Om,
C/o Postmaster General,
Bareilly, UP (retired Postmaster)

.....Respondents

(Mr. K M Singh, Advocate)

O R D E R (ORAL)**Justice L. Narasimha Reddy:**

The applicant joined the service of the Postal Department as Postal Assistant, on 07.07.1970. He was promoted as Postmaster (HSG-I). He was also extended the benefit of Time Bound One Promotion (TBOP) and thereafter, Biennial Cadre Review (BCR). He retired from service on 31.01.2007.

2. After his retirement, the applicant made representation stating that he was not extended the benefit of HSG-I. It was also mentioned that his junior by name Shri Shiv Om was extended the benefit, whereas it was denied to him. The Office of the Chief Postmaster General, U.P. Circle, Lucknow issued memo dated 18.08.2008 stating that in the Circle Gradation List of LSG, the applicant figured at Sl.No.203, whereas Shri Shiv Om was at Sl. No.199. Thereafter, the applicant made several representations and the last, being one dated 29.05.2018. That was replied to by the respondents through memo dated 24.07.2018, referring the Memo dated 18.08.2008.

This O.A is filed challenging the memos dated 24.07.2018 and 18.08.2008. The applicant contends that he was extended the benefit of TBOP on 07.07.1986 and BCR on 01.01.1997, whereas it was mentioned in the Circle Gradation List, that he was extended the benefit of BCR on 01.07.1997. According to the applicant, this

mistake has resulted in his being shown as junior and the impugned orders cannot be sustained.

3. We heard Mr S.P. Singh, learned counsel for the applicant and Mr. K M Singh, learned counsel for the respondents, at the stage of admission.

4. The issue is of promotion, that took place in 2007, before the applicant retired from service. He made a representation, and the respondents issued memo dated 18.08.2008, which reads as under :

"DEPARTMENT OF POSTS, INDIA
OFFICE OF THE CHIEF POSTMASTER GENERAL UP CIRCLE, LUCKNOW

Memo No.STA/150-RJ/08/2 Dated at Lucknow, 18.08.2008

Shri Jugendra Singh retired Postmaster, Hapur HO (Officiating) vide his representations dated 29.10.05, 12.11.07 and 25.3.2008 has claimed for his promotion to HSG-I cadre with reference to the officials who were promoted to HSG-I cadre vide this office memo No.STA/19-XA/06/2 dated 6.6.05 and also claimed that he is senior to the last candidate Shri Shiv Om who was promoted to HSG-I cadre vide memo dated 6.6.05.

2. The representation off the retired official alongwith relevant records has been considered by the Competent Authority. It has been found that as per Circle Gradation List of LSG (NB) officials circulated vide this office memo No.STA/189-XR/LSG(NB)/Corr/05/7 dated 5.05.2005, the name of Shri Jugendra Singh stands at serial No.203 whereas the name of Shri Shiv Om stands at Sl.No.199. Thus Shri Jugendra Singh is junior to Shri Shiv Om, the last candidate who was promoted to HSG-I cadre vide this office memo dated 6.6.05. No candidate junior to Shri Jugendra Singh was promoted to HSG-I cadre vide this office memo dated 6.6.05.

3. As such request of Shri Jugendra Singh for promotion to HSG-I cadre with reference to Shri Shiv Om is not tenable.

4. The Competent Authority has ordered to reject the above representation of the official accordingly."

5. From this, it becomes clear that applicant figured at Sl.No.203, whereas Shri Shiv Om was at Sl.No.199. In case the applicant was of the view that memo dated 18.08.2008 did not reflect the correct picture, he was supposed to pursue remedies at that time. It was only 10 years thereafter, that he filed a representation on 29.05.2018. He cannot have the luxury to approach the Tribunal at this stage. Though the applicant made reference to letter dated 29.05.2009 addressed by the Superintendent of Post Offices, Ghaziabad, we do not find it of any relevance and to assume that the applicant was extended the benefit of BCR w.e.f. 01.01.1997. It was not shown as to whether it could have any bearing upon the Gradation List of LSG.

6. We do not find any merit in the O.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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