

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.210/00423/2019
(MA No.379/2019)

Date of Decision: 26th June, 2019

CORAM: R.VIJAYKUMAR, MEMBER (A)
R.N. SINGH, MEMBER (J)

Ibrahim Dawood Sayyed, Aged 64 yrs.,
 (Son of Shri Dawood,
 Driver Gr.-I MMS (Retd).
 (R/at : IIB Flat No.2 Ranka Park,
 Sadhuwawani Road, Pune 411 001). ... *Applicant*
(By Advocate Ms. Sujatha Krishnan)

VERSUS

1. The Union of India, Through the Secretary,
 Department of Posts,
 Ministry of Communication & I.T.,
 Sanchar Bhawan, New Delhi-110 001.
2. The Director General, Department of Post,
 Dak Bhawan, New Delhi 110 001.
3. The Chief Post Master General,
 (Maharashtra Circle), General Post Office,
 Mumbai 410 001.
4. The Post Master General,
 Pune Head Office, Pune 411 001.
5. The Manager, Mail Motor Service,
 Pune 411 001. ... *Respondents*

ORDER (Oral)

Per : R.N. Singh, Member (J)

Heard the learned counsel for the
 applicant.

2. The applicant who is ^aretired Driver
 Grade I MMS, has approached this Tribunal by
 way of the present OA seeking the following

reliefs :

“8(a). To allow the original application.

8(b). To hold and declare that the Applicant has availed only two regular promotions from the post of Driver to the post of Driver Gr.-II, and from the post of Driver Gr.-II to the post of Driver Gr.-I.

8(c). To direct the Respondents to grant the Applicant the 3rd financial upgradation under the M.A.C.P. Scheme, w.e.f. 01.09.2008, when he completed 30 yrs., of service and fix his pay in the pay scale of P.B.-2 + Grade Pay of Rs.4200/- p.m.

8(d). To direct the respondents to pay the arrears of difference of his pay & allowances, w.e.f. 01.09.2008 onwards after fixing his pay in P.B.-2 + Grade Pay Rs.4,200/-.

8(e). To direct the Respondents to rework / recalculate all retirement benefits and pay the difference of the same to the applicant.

8(f). To pass any other order which may be considered necessary in the facts and circumstances of the case.

8(g). To award the cost of application.”

3. The learned counsel for the applicant submits that for redressal of his grievance the applicant has preferred representation dated 17.09.2018 (Annexure A-5) to the Post Master General, Pune Region and also another representation dated 17.09.2018 {Annexure A-5(a)} to the Manager, Mail Motor Services.

4. The learned counsel for the applicant submits that in spite of lapse of more than nine months the aforesaid representations

are still pending for consideration by the respondents.

5. The learned counsel for the applicant submits that the applicant shall be satisfied if the OA is disposed of at the admission stage itself with a direction to the respondent No.4 and 5 to consider the aforesaid representations dated 17.09.2018 and pass a reasoned and speaking order in a time bound manner.

6. We are of the considered view that if such request of the learned counsel for the applicant is accepted, no prejudice is likely to be caused to the respondents.

7. In view of the aforesaid, the OA is disposed of with a direction to the respondents Nos.4 and 5 to consider the aforesaid representations dated 17.09.2018 of the applicant in accordance with the relevant rules, law and instructions on the subject and pass an appropriate reasoned and speaking order as expeditiously as possible and in any case within eight weeks from the date of receipt of certified copy of this order.

8. We make it clear that by way of this

order, we have not expressed any opinion on the merit or limitation, if any, involved in the matter.

9. MA No.210/379/2019 also stands disposed of accordingly.

(R.N. Singh)
Member (Judicial)

(R. Vijaykumar)
Member (Administrative)

kmg*

SD
28/6/19