

**.CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

**OA No.319/2019 with MA No.323/2019,
OA No.320/2019 with MA No.324/2019,
OA No.321/2019 with MA No.325/2019,
OA No.322/2019 with MA No.326/2019,
OA No.323/2019 with MA No.327/2019 &
OA No.325/2019 with MA No.328/2019**

This the 30th day of September, 2019

OA No.319/2019

Shri Balvantbhai A Maisuria

Son of Atmaram Maisuria

Age 56 years

Residing at : AT PO : Ambheta via Rander,

Taluka Olpad, District Surat- 395 005.Applicant.

(By Advocate : Shri Joy Mathew)

VERSUS

1. Union of India,
Notice to be served through
The Secretary, Ministry of Communication & IT
Department of Posts, Dakbhavan, Sansad Marg,
New Delhi 110 001.
2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Postmaster General
Vadodara Region, Vadoara 390 002.
4. The Director Postal Services
Office of the Postmaster General
Vadodara Region,
Vadoara 390 002.....**Respondents**

OA/319-320-321-322-323-325/2019
CAT, Ahmedabad Bench

OA No.320/2019

Shri Mukundbhai C. Patel
Son of Chimanlal Patel
Age 60 years
Residing at : AT PO : Sinsak, Taluka : Olpad,
District : Surat- 394 540. Applicant
(By Advocate : Shri Joy Mathew)

VERSUS

1. Union of India,
Notice to be served through
The Secretary, Ministry of Communication & IT
Department of Posts, Dakbhan, Sansad Marg,
New Delhi 110 001.
2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Postmaster General
Vadodara Region, Vadoara 390 002.
4. The Director Postal Services
Office of the Postmaster General
Vadodara Region,
Vadoara 390 002..... **Respondents.**

OA No. 321/2019

Shri Maheshkumar N Patel
Son of Natvarbhai Patel
Age 56 years
Residing at : AT PO : Ambheta via Rander, Taluka Olpad,
District Surat- 395 005. Applicant
(By Advocate : Shri Joy Mathew)

VERSUS

1. Union of India,
Notice to be served through

CAT, Ahmedabad Bench

The Secretary, Ministry of Communication & IT
Department of Posts, Dakbhan, Sansad Marg,
New Delhi 110 001.

2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Postmaster General
Vadodara Region, Vadoara 390 002.
4. The Director Postal Services
Office of the Postmaster General
Vadodara Region,
Vadoara 390 002..... **Respondents.**

OA No. 322/2019

Shri Sunilkumar Chhitubhai Patel

Son of Chhitubhai Patel

Age 59 years

Residing at : 26/27, Navdurga Nagar-I, Nr. Maharana Pratap Garden,

Nanavarachha, PO : Sarthana,

Surat 395 013.. Applicant

(By Advocate : Shri Joy Mathew)

VERSUS

1. Union of India,
Notice to be served through
The Secretary, Ministry of Communication & IT
Department of Posts, Dakbhan, Sansad Marg,
New Delhi 110 001.
2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Postmaster General
Vadodara Region, Vadoara 390 002.
4. The Director Postal Services
Office of the Postmaster General
Vadodara Region,
Vadoara 390 002..... **Respondents.**

OA/319-320-321-322-323-325/2019
CAT, Ahmedabad Bench

OA No. 323/2019

Shri Gulam Sabir M Hotelwana
Son of Mohammad Husen
Age 55 years
Residing at : 08/933, Gopipura Momnawad, Ashrafi Gali,
District Surat- 395 001. Applicant.
(By Advocate : Shri Joy Mathew)

VERSUS

1. Union of India,
Notice to be served through
The Secretary, Ministry of Communication & IT
Department of Posts. Dakbhavan, Sansad Marg,
New Delhi 110 001.
2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Postmaster General
Vadodara Region, Vadoara 390 002.
4. The Director Postal Services
Office of the Postmaster General
Vadodara Region,
Vadoara 390 002..... **Respondents.**

OA No. 325/2019

Shri Ashokkumar D Pandit
Son of Devendraprasad Pandit
Age 63 years
Residing at : A-10, Shivani Appartment, Nr. Azad Soc,
Ahmedabad 380 015.. Applicant
(By Advocate : Shri Joy Mathew)

VERSUS

1. Union of India,
Notice to be served through

CAT, Ahmedabad Bench

The Secretary, Ministry of Communication & IT
Department of Posts, Dakbhan, Sansad Marg,
New Delhi 110 001.

2. The Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001.
3. The Postmaster General
Shahibaug, Ahmedabad 380 004.
4. The Director Postal Services (HQ)
Office of the Chief Postmaster General
Gujarat Circle, Khanpur,
Ahmedabad 380 001 **Respondents.**

COMMON ORDER (ORAL)

Per : Hon'ble Shri M.C.Verma, Judicial Member

All abovenoted six OAs are at the stage of motion hearing, applicant in all OAs is represented by same counsel and the grievance of the applicants is that treating the post of Postal Assistant as promotional post, they were denied the benefits of their due MACP. Learned counsel, Shri Joy Mathew, who is appearing for applicant of all said OAs fairly submits that no applicant of this batch of OA personally has preferred representation for redressal of his grievance, however, one Shri K.B.Solanki, a similarly situated employee, did prefer representation long ago and his representation

was dismissed by respondents. He also submits that recently in batch matters of 52 OAs (*leading matter is OA No. 93/2019 in case of Natvarbhai S. Makwana v/s. Union of India*), this Bench of the Tribunal has passed final Order on 17.09.2019 and had held that post of Postal Assistant is not a promotional post for the post of Postman and while holding so directed the respondents to place the claim of applicants of said 52 OAs before Review Screening Committee for examination afresh, treating the date of entry into the cadre/ grade of the post of Postal Assistant to release necessary financial upgradation.

2. Learned counsel submits further that in view of the changed circumstances, particularly after decision of this Tribunal in OA No.93/2019 and batch applicants of these six OAs now wants to prefer the representation before the respondents department claiming parity with applicants of abovesaid batch matter of 52 OAs, and reserving liberty to agitate the matter in case the final outcome of the decision on their representation comes against them, wants to withdraw their respective OA at this stage. He also submits that

applicant would prefer the representation within two weeks from today and he made requests to allow the withdrawl of OA with direction to respondent to take decision on their representation within a month or within a time as this Tribunal deem fit and proper to fix.

3. Considered the submissions. Withdrawl of all six OAs is allowed. Applicant of each said OA is granted liberty to prefer representation, if he wishes so, and if he prefers representation within two weeks, the respondents shall consider the same as per its merits and shall dispose of the representation within a period of six weeks from the date of receipt of the representation. Needless to say, whatever decision so taken shall be communicated to the applicant.

4. All the six OAs stand disposed of as withdrawn. Pending MA, of each OA also stand disposed of.

(M.C.Verma)
Member (J)

nk