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**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.380/2016**

**Dated this Thursday, the 24<sup>th</sup> day of October, 2019**

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

1. Ibrahim Dawood Sayyed,  
Age: 61 years,  
(Son of Shri Dawood),  
Driver Grade-I, MMS (Retd.)  
(R/at: IIB Flat No.2,  
Ranka Park, Sadhuwaswani Road,  
Pune-411 001.

...applicant.

**(By Advocate Ms. Sujata Krishnan)**

**Versus**

1. The Union of India,  
Thorough 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-400 001.

4. The Post Master General,  
Pune Head Office,  
Pune-411 001.
5. The Manager,  
Mail Motor Service,  
Pune-411 001.

...Respondents.

**(By Advocates Shri V. S. Masurkar)**

**ORAL ORDER**  
**Per : R.Vijaykumar, Member (A)**

1. Ms. Sujata Krishnan, learned counsel appeared for the applicants.

2. Shri V. S. Masurkar, learned counsels for the respondents.

3. This application have been filed on 5.04.2016 under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

*“a. To allow the application.*

*b. To quash and set aside the impugned order dated 18.02.2016,*

*c. To direct the respondents to convene Review D.P.C. For considering the case of the Applicant for his promotion to the Post of Driver Special Grade against the vacancies of 2014, and 2015 and if found it fit, to promote the Applicant to the above said post fro the date Applicant's junior Shri Azad Ahmed was*

*promoted to the post of Driver Special Grade.*

*d. To grant all consequential benefits including revision of the retirement benefits, pension etc. in case the Applicant is found fit by D.P.C. And is promoted to Driver Special Grade.*

*e. To pass any other order which may be considered necessary in the facts and circumstances of the case.*

*f. To award the cost of application."*

4. The applicant who superannuated from service on 31.01.2015, he submits that he was not considered against the vacancies for the post of Special Grade Drivers in the calendar years 2014 and 15 because the respondents did not prepare select panel for those years and DPC was not conducted.

5. DPC was conducted in August, 2015 and by that time, the applicant had retired in January, 2015 and the respondents have stated that they could not consider the applicant in view of the fact that he had already superannuated. His immediate junior was promoted on 23.07.2015 while in service at the time of conducting the DPC.

6. It is the admitted case of the parties that no junior to the applicant has been promoted

prior to the retirement of the applicant on attaining age of superannuation.

7. In the facts and circumstances, we do not find any merit in the OA. Accordingly, the same is dismissed without any order as to costs.

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**(R.N.Singh)**  
**Member (Judicial)**

**(R.Vijaykumar)**  
**Member (Administrative)**

V.

JD  
25/3/19