

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 16.7.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29635 of 2017
and
W.M.P.No.31926 of 2017

- 1 Union of India rep by the
Assistant Director General (PA-Admn)
Postal Accounts Wing
Department of Posts
Ministry of Communication
DakBhavan
SansadMarg New Delhi
 - 2 The General Manager
Postal Accounts & Finance
Tamil Nadu Circle
Ethiraj Salai Chennai-600 008
 - 3 The Senior Accounts Officer
(Pay Group Section)
O/o.The General Manager
Postal Accounts & Finance
Tamil Nadu Circle
Ethiraj Salai Chennai-600 008
- Petitioners

Versus

- 1 D.Daniel Appadurai
 - 2 The Registrar
Central Administrative Tribunal
High Court Complex Chennai-600 104
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records dated 24.06.2016 and made in O.A. No.310/01336/2015 on the file of the second respondent and to quash the same in so far it relates to the petitioners.

For petitioners : Mr.V.Balasubramanian

For R1 : Mr.H.S.Mohamed Rafi

ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

The writ petition has been filed by the Union of India challenging the order passed by the Central Administrative Tribunal in allowing the Original Application filed by the first respondent herein and thereby directing the appellants to extend the benefit of ACP Scale on par with his juniors.

2. It appears that the issue raised in the present Original Application has been covered by the decision of the Principal Bench of Central Administrative Tribunal, New Delhi in O.A.No.2124/2011 dated 1.2.2013 and that of the Patna Bench in O.A.No.050/00440/2014 dated 11.5.2015 wherein the employees Association had raised the issue and those Benches directed to step up the pay of the applicants therein on par with their juniors in terms of the directions contained in the case of HARCHARAN SINGH SUDAN & OTHERS v. UNION OF INDIA & OTHERS by order dated 1.2.2013 and appreciating such factum, the Tribunal has allowed the present Original Application, holding that the ground taken by the Union of India for rejection of the claim of the present applicant that he is neither a party to the above proceedings nor a member of the Association, which had filed such Original Applications, cannot be sustained.

3. We do not find any merit in the writ petition warranting interference with the order passed by the Tribunal and therefore, it is confirmed. The order of the Tribunal shall be complied with, within a period of three months from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy//

Sub Assistant Registrar

To:

- 1 Union of India rep by the
Assistant Director General (PA-Admn)
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4 The Registrar
Central Administrative Tribunal
High Court Complex Chennai-600 104

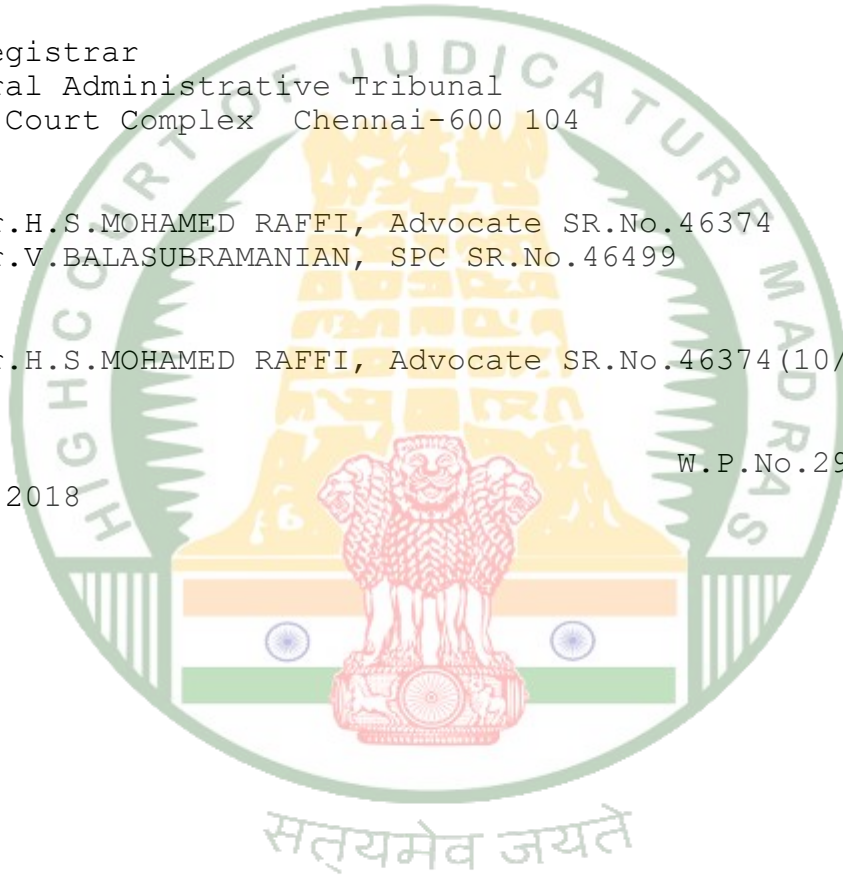
+1cc to Mr.H.S.MOHAMED RAFFI, Advocate SR.No.46374

+1cc to Mr.V.BALASUBRAMANIAN, SPC SR.No.46499

+1cc to Mr.H.S.MOHAMED RAFFI, Advocate SR.No.46374(10/09/2018)

SMI/28.08.2018

W.P.No.29635 of 2017



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