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**(2010) 11 UK CK 0049**

**In the Uttarakhand High Court**

**Case No : Writ Petition No. 199 of 2004 (S/B)**

All India Postal Employees Union and Another

APPELLANT

Vs

Post Master General and Others

RESPONDENT

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**Date of Decision : 19-11-2010**

**Acts Referred:**

**Citation : (2010) 11 UK CK 0049**

**Hon'ble Judges : Barin Ghosh, C.J;V.K. Bist, J**

**Bench : Division Bench**

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## **Judgement**

Barin Ghosh, C.J.—A copy of Biennial Cadre Review Scheme has been annexed to the writ petition. As regards the contents thereof, as reproduced, there is no dispute. In terms thereof, the Scheme applies to only those cadres in Group "C" and "D" for whom the scheme of one Time-Bound Promotion, on completion of 16 years of service in the basic grade, introduced by Office Memorandum dated 17th December, 1983, is available.

2. Petitioners are Postal Assistants of Post Offices. They are Group "C" employees. All of them were entitled to the benefit of one Time-Bound Promotion Scheme introduced by Office Memorandum dated 17th December, 1983. Each of them had been granted one time-bound promotion on completion of 16 years of service. Despite that, it was stated in answer to their representation that the Biennial Cadre Review Scheme is not applicable to the Petitioners. Petitioners, accordingly, approached the Central Administrative Tribunal. Central Administrative Tribunal, very unfortunately, without even bothering to look into the Biennial Cadre Review Scheme, rejected the Application of the Petitioners on the ground that the Petitioners are not covered by the Biennial Cadre Review Scheme. The Petitioners are, hence, before us.

3. As aforesaid, it appears from the facts narrated above that the said Biennial Cadre Review Scheme is applicable to the Petitioners. In such view of the matter, the writ petition is disposed of by directing the Respondents to consider the case of the Petitioners under the Biennial Cadre Review Scheme proceeding on the

basis that the Petitioners are covered by the said Scheme and are also entitled to the benefits thereof. Let the exercise, as directed above, be completed as quickly as possible, but not later than three months from the date of service of a copy of this order upon Respondent No. 1.