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**CENTRAL ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH,  
CIRCUIT BENCH SITTING AT AURANGABAD**

**DIARY NO.1683  
ORIGINAL APPLICATION NO.212/845/2019**  
Dated this Thursday, the 12<sup>th</sup> day of December, 2019

**CORAM: R.VIJAYKUMAR, MEMBER (ADMINISTRATIVE)  
RAVINDER KAUR, MEMBER (JUDICIAL)**

Manikrao S/o Dadarao Bhombe, Age 79 years, Occ: Retired,  
R/o C/o Dadarao Bhombe, At Post Adgaon, Tq. Bhokardan,  
Dist. Jalna.

(By Advocate Shri S.S.Kulkarni) ... Applicant

**VERSUS**

1. Union of India, Through its Secretary,  
Department of Post, Dak Bhavan, New Delhi 110 001.
2. The Chief Post Master Geenral, Maharashtra Circle,  
Mumbai 400 001.
3. The Senior Superintendent of Post Offices,  
Aurangabad Division, Aurangabad 431 001. ... Respondents

**ORAL ORDER**

Per: R.VIJAYKUMAR, MEMBER (A)

Heard Shri S.S.Kulkarni, learned counsel for  
the applicant.

2. The learned counsel for the applicant submits  
that certain applicants who had retired as GDS  
has challenged the denial of pension to them  
before the Principal Bench of this Tribunal in OA  
Nos.749/2015 with OA No.3540/2015 and 613/2015  
and the concerned Bench passed orders on  
17.11.2016 holding that Clause 6 of the 2011 GDS  
Rules was unconstitutional. This matter has been  
taken to the Hon'ble High Court of Delhi by the

respondents in Writ Petition (C) No.832 of 2018 and is awaiting the judgment of the Hon'ble Court.

3. Since the interpretation of rules as held in the decision of the Principal Bench may be finalized by the Courts and will become available for implementation across the entire country, in the situation that such judgments are still pending for final decision, the applicant shall be granted liberty to withdraw this OA and to file a representation, if so legally advised, before the respondents and in case, his grievance still remains, then file a fresh OA at that point of time based on the judgment as finalized by the Courts at the appropriate time.

4. This OA is disposed of in the above terms without any order as to costs.

(Ravinder Kaur)  
Member (Judicial)

(R.Vijaykumar)  
Member (Administrative)

kmg\*

JD  
19/12/19