

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

DIARY NO.1683

ORIGINAL APPLICATION NO.212/845/2019

Dated this Thursday, the 12th 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.

... Applicant

(By Advocate Shri S.S.Kulkarni)

VERSUS

1. Union of India, Through its Secretary,
Department of Post, Dak Bhavan, New Delhi 110 001.
2. The Chief Post Master General, 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