

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00170/2019
Chandigarh, this the 15th day of January, 2020

...
CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

....

Tarsem Chand, age 50 years, son of Late Sh. Matu Ram, working as Truck Driver, O/o Executive Engineer, CP Division No. 2 (Road), Sector 9, UT Chandigarh, resident of village Nadda, p.O. Nayagaon, Tehsil Kharar, District SAS Nagar, Mohali, Punjab – 160055 'Group C'

....Applicant

(Present: Ms. Moushmi Mittal, Advocate)

Versus

1. Union Territory, Chandigarh Administration, through its Secretary, Engineering Department, Chandigarh Administration, U.T. Civil Secretariat, Sector 9, Chandigarh – 160009.
2. Chief Engineer, Union Territory, Chandigarh Administration Engineering Department, U.T. Civil Secretariat, Sector 9, Chandigarh-160009.
3. Executive Engineer, CP Division No. 2 (Road), Chandigarh Administration, UT Civil Secretariat, Sector 9, Chandigarh – 160009.
4. Principal Accountant General (A&E), Punjab and U.T. Chandigarh, Sector 17, Chandigarh – 160017.

..... Respondents

**(Present: Mr. V.K. Arya, Advocate for Respondent No. 1 to 3
Mr. I.S. Sidhu, Advocate for Respondents No.4)**

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. With the consent of the learned counsel for the parties,
this matter is taken up for final disposal.



2. M.A. No. 060/02029/2019 is allowed and the written statement filed by Respondent No. 4 is taken on record.

3. Learned counsel for the applicant submitted that though the claim of the applicant seeking benefit of old pension scheme has been rejected by the respondents vide impugned order dated 13.02.2019 (Annexure A-1), but in the written statement it is admitted by the respondents that the similarly placed persons have been granted the relevant benefit, vide order dated 11.09.2018 (Annexure A-14), as per the directions of this Tribunal. It is argued that once the similarly placed persons have been granted the relevant benefit, then similar treatment cannot be denied to the applicant herein. Learned counsel prayed for a direction to the respondents to consider the case of the applicant for grant of similar benefit.

4. Learned counsel for the respondents is not able to controvert the contention raised by the learned counsel for the applicant.

5. In view of the above, the O.A. is disposed of, at this stage, with a direction to the respondents to re-consider the claim of the applicant for the benefit of old pension scheme and if he is found to be similarly placed like the persons who have been granted the benefit vide order (Annexure A-14), similar benefit be granted to him within a period of two months from the date of receipt of a copy of this order.



6. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 15.01.2020
PLACE: CHANDIGARH

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