

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH,
CIRCUIT BENCH AT SHIMLA

O.A.NO.063/89/2020

This, the 28th day of February, 2020

Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Ms. Naini Jayaseelan, Member (A)

Bisheshar Lal son of Late Sh. Main Ram, aged about 60 years, presently working as Group D employee (MTS), Rampur Division, Rampur, Reckong Peo District Kinaur-172107 and resident of VPO Taklesh, Tehsil Rampur, District Shimla.

.....Applicant

Versus

1. Union of India through the Secretary, Ministry of Information and Technology, Department of Posts, Dak Bhawan, New Delhi-110 001.
2. Superintendent of Post Offices, Rampur Division, Rampur-172 001.

.....Respondents

Present: Mr. D.R. Sharma, counsel for the applicant.
Mr. Anshul Bansal, counsel for the respdts.

ORDER (ORAL)

BY MR. SANJEEV KAUSHIK MEMBER (J)

1. The applicant has filed this OA seeking issuance of directions to the respondents to consider his case for granting pensionary benefits under CCS (Pension) Rules, 1972.

2. Heard Sh. D.R. Sharma, learned counsel for the applicant. He, interalia, argues that the applicant initially joined the respondent department as EDDA on 18.03.1978. Subsequently, he appeared in the selection for Group 'D' and his name was recommended for appointment as such by the Selection Committee on 07.10.2003 as a result of which he joined on 16.02.2004.

3. Learned counsel further argues that once the applicant has already been selected and he joined on introduction of New Pension Scheme, but since he was selected earlier, his case ought to have been considered under the Old Pension Scheme for which he places reliance on a recent OM No. 57/04/2019-P&PW(B) dated 17.02.2020, particularly para 3 (iv) therein and submits that since these instructions are in favour of the applicant, respondents be directed to reconsider the claim of the applicant in the light of OM dated 17.02.2020.

4. Issue notice.

5. Sh. Anshul Bansal, Advocate, accepts notice on behalf of the respondents and does not dispute the disposal of the OA in the requested manner.

6. In view of the above noticed facts, we dispose of this OA in limine, by directing the respondents to consider the claim of the applicant in the light of the latest instructions issued by Government of India, Department of Pension and Pensionary Welfare vide OM dated 17.02.2020, by passing a reasoned and

speaking order within two months from the date of receipt of a certified copy of this order. There shall be no order as to costs,

**(SANJEEV KAUSHIK)
MEMBER (J)**

**(NAINI JAYASEELAN)
MEMBER (A)**

**Dated: 28.02.2020
ND***