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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2279/97

New Delhi this the 22nd day of December, 1997.

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Sh. Vireinder Mohan Thareja,
Jr. Scientific Officer,
Composit Food Lab.,
ASC, Lucknow Road,
P-11(Ground)Floor,
Delhi-54. Applicant

(through Sh. S.C. Luthra, advocate)

versus

1. Union of India
through Secretary,
Ministry of Defence/
South Block, Government
of India, New Delhi.

2. Director General of Supplies
and Transport,
(Food Inspection Organisation)
AHQ, QMG's Branch,
Ministry of Defence,
Government of India,
Sena Bhawan,
New Delhi-1. Respondents

(through Sh. Harveer Singh for Mrs. P.K. Gupta)

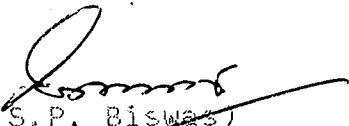
ORDER(ORAL)

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)

The case of the applicant is that he is a Junior Scientific officer in Food Inspection Organisation under the Ministry of Defence. According to the general rule applicable to retirement age, all Government servants are to retire at the age of 60 but some organisation such as DRDO in Defence ICM etc. have been treated differentially. As a policy matter that the employees of such organisation would retire at the age of 60 and the applicant is trying to show comparison between this organisation as well as that of DRDO on the ground that both discharge functions of

[research. In support, the learned counsel for the applicant has drawn to our attention as one of the 7 functions assigned to the post of Junior Scientific Officer, namely, research in "field problems". The applicant has also drawn to our attention to a document annexed at page-52 of the paperbook being a recommendation by the respondents themselves stating that the age of the applicant and other similarly placed employees at DIO be considered to be 60 years for various reasons given in the said letter. This was specifically pleaded by the applicant at para 4.20 of the application and by way of reply to the said para, the respondents have stated that they have themselves corrected age on the basis of the research work involved in the said post even in FIO under the Ministry of Defence but the respondents were expecting retirement age 60 as per the 5th Pay Commission Report which finally had fallen out due to certain policy pressure. The applicant is pressing for a final decision. It was also stated by the applicant that he is retiring on 31.12.97. In the circumstances, the respondents are directed to make a final decision and consider that this is a part of the policy decision, a final decision may be made this way or that way within 6 months from the date of receipt of a copy of this order and in case the respondents decide the retirement age be raised to 60 from 58, full benefit of the service shall be given to the applicant even

after his superannuation at the age of 58. With this,
this O.A. is disposed of. No costs.


(S.P. Biswas)
Member (A)


(Dr. José P. Verghese)
Vice-Chairman (J)

/vv/