

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/01028/2019

DATED THIS THE 14TH DAY OF OCTOBER, 2020

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

Thammanna,
S/o Rayappa,
Aged 62 years,
Retired as Postman,
Nehru Gunj SO 585 103,
Kalburgi Division,
Residing at H. No. 2-3-70,
Ek Kaman, Asar Mohalla,
Chittapur 585 211

....Applicant

(By Advocate Shri A.R. Holla - through video conference)

Vs.

1. Union of India,
By Secretary,
Department of Posts,
Dak Bhavan,
New Delhi 110 001

2. The Chief Postmaster General,
Karnataka Circle,
Bengaluru 560 001

3. The Postmaster General,
N.K. Region,
Dharwad 580 001

4. The Senior Superintendent of Post Offices,
Kalburgi Division,
Kalburgi 585 101

.....Respondents

(By Advocate Shri N.B. Patil - through video conference)

O R D E R (ORAL)**PER: SURESH KUMAR MONGA, MEMBER (J)**

Shri A.R. Holla, learned counsel representing the applicant, at the very outset, very fairly stated that the issue involved in the present Original Application is no longer *res integra* as the Hon'ble Supreme Court has already settled the controversy in Civil Appeal No. 8497/2019 arising out of SLP (C) No. 13042/2014 Union of India Vs. Gandiba Behera decided on 08.11.2019.

2. In view of the judgment rendered by the Hon'ble Supreme Court in Gandiba Behera (*supra*), the present Original Application deserves to be dismissed.

3. Accordingly, the Original Application is hereby dismissed. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/01028/2019

Annexure A1	Copy of the order dated 23.04.1986
Annexure A2	Copy of the order dated 09.06.2006
Annexure A3	Copy of the order dated 30.06.2006
Annexure A4	Copy of the order dated 19.11.2012
Annexure A5	Copy of the order dated 05.12.2012
Annexure A6	Copy of the order dated 09.06.2017
Annexure A7	Copy of the letter dated 01.03.2019
Annexure A8	Copy of the order dated 01.04.2019

Annexures referred in reply statement

Annexure R1	Copy of the extract of New Pension Scheme rules
Annexure R2	Copy of the extract of Terms and Conditions of Engagement of GDS
Annexure R3	Copy of the judgment of the Hon'ble Supreme Court in Civil Appeal No. 8497/2019
