



**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

**Hearing by Video Conferencing**

**O.A. No.063/00282/2020**

Chandigarh, this the 10<sup>th</sup> of August, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**  
**HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

Sh. Amar Singh Rathor son of late Khulu Ram, resident of village Torkhola, Post Office & Teshil Sandhole, District Mandi, H.P. – 176009 aged about 65 years, Group D

**....Applicant**

(BY: Mr. Arvind Thakur, Advocate)

**Versus**

1. Union of India through the Secretary cum Director General Post, Dak Bhawan, New Delhi – 110001.
2. The Chief Post Master General, Postal Department, Shimla (H.P.) – 171001.
3. The Senior Superintendent of Post Office, Mandi Division, Mandi District Mandi – 175001 (H.P.)

**... .Respondents**

**O R D E R(Oral)**

**SANJEEV KAUSHIK, MEMBER (J):**

1. The present O.A. has been filed by the applicant seeking issuance of a direction to the respondents to grant him due pensionary benefits by treating his service rendered as GDS as regular service.
2. Heard.
3. Learned counsel, in support of the claim, has placed reliance upon a decision dated 17.11.2016 of the Principal Bench of the Tribunal in O.A. No. 749/2015 and two



connected matters, in favour of the applicants (therein), who were similarly situated like the applicant herein.

4. We have given our thoughtful consideration to the matter and of the view that the O.A. deserves to be dismissed for the reason that a similar issue, as to whether GDS service can be treated as eligible service for grant of pension or not, has already been considered and dismissed by this Tribunal in O.A. No. 063/00581/2018 titled **Satish Chand Vs. Union of India & Others**, on the basis of a judgment dated 12.08.2016 of the Hon'ble Supreme Court in the case of **Y. Najitha Mol and Others Vs. Soumya S.D. & Others** (C.A. NO. 90/2015 decided on 12.08.2016). The view taken by the Principal Bench of the Tribunal in O.A. NO. 749/2015, relied upon by the applicant, has also been discussed and negated being per incuriam, in view of the Hon'ble Supreme Court judgment in the case of Y. Najithia (supra) having not been considered by the Bench.

In view of the above, the O.A. is dismissed being devoid of any merit. No costs.

**(AJANTA DAYALAN)**  
**MEMBER (A)**

**(SANJEEV KAUSHIK)**  
**Member (J)**

Place: Chandigarh  
Dated: 10.08.2020

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