

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00622/2021

Dated Wednesday the 14th day of July Two Thousand Twenty One

**CORAM : HON'BLE MR. P. MADHAVAN, Member (J)
HON'BLE MR. K. V. EAPEN, Member (A)**

(Through Video Conferencing)

S.Kumar, S/o. Late Mr. P. Subramani,
No. 102, Nethaji Salai, Thiruvallur District 602001.

....Applicant

By Advocate M/s. P. Rajendran

Vs

1.The Union of India rep by the
Member (P), Postal Service Board,
Department of Posts, New Delhi.

2.The Chief Post Master General,
Tamil Nadu Circle, Chennai 2.

3.The Post Master General,
Mails and BD, Tamil Nadu Circle, Chennai 2.

4.The Superintendent,
RMS, Chennai Sorting Division, Egmore, Chennai 8.Respondents

By Advocate Mr. Su. Srinivasan, SCGSC

ORAL ORDER

(Pronounced by Hon'ble Mr. P. Madhavan, Member(J))

The relief prayed for in this OA is as follows:

"To direct the respondents to consider relaxation under Rule 88 of the Central Civil Services (Pension) rules 1972 for the purpose of condoning the shortfall of 6 months and 29 days qualifying service for granting pension to the applicant and pass appropriate orders and grant him all consequential benefits and render justice."

2. Heard counsel for the applicant. Mr. Su. Srinivasan, SCGSC appears and takes notice for the respondents.
3. It is submitted that the applicant superannuated on 31.10.2019 as MTS in the respondent department. He was initially appointed as a Mazdoor on 02.01.1985, thereafter as a Full Time Casual Labour on 01.01.2000. He was granted Temporary Status on 01.01.2002. He was treated on par with Group D employees and granted statutory benefits w.e.f. 01.01.2005. Later, he was promoted as MTS on 30.10.2018. It is submitted that the applicant rendered service as Temporary Status Casual Labourer from 01.01.2002 to 29.10.2018 (16 years and 10 months) and as MTS from 30.10.2018 to 31.10.2019 (1 year and two days). It is further submitted that 50 % of temporary status service will be counter along with regular service for the purpose of granting retirement benefits. He has submitted a representation dt. 15.03.2021 for grant of pensionary benefits under the Old Pension Scheme which is still pending for consideration.
4. Learned counsel for applicant submits that the applicant would be

satisfied if the respondents are directed to consider the pending representation in in a time bound manner. Learned counsel for the respondents has no serious objection to the same.

5. In view of the limited relief sought and without going into the merits of the case, the competent authority is directed to consider the representation dt. 15.03.2021 at Annexure A4 and pass a reasoned and speaking order in the light of relevant OMs, rules and regulations within a period of three months from the date of receipt of a copy of this order.

6. OA is disposed of at the admission stage. No costs.

(K. V. Eapen)
Member(A)

(P. Madhavan)
Member(J)

14.07.2021

SKSI