

**Central Administrative Tribunal  
Ernakulam Bench**

**O.A No.180/00192/2021**

Wednesday, this the 5<sup>th</sup> day of May, 2021

**CORAM:**

**Hon'ble Mr. P.Madhavan, Judicial Member**

P.Premalatha, aged 60 years  
Retired Postal Assistant, Perumbavoor  
Head Office (Postal Department)  
Residing at: Latha Vilas, Manickamangalam P.O  
Ernakulam District Pin – 683 574

- Applicant

(By Advocate: Mr.T.C.G Swamy)

Versus

1. Union of India  
Represented by the Secretary to the  
Government of India  
Ministry of Communications  
Department of Posts, Dak Bhavan  
New Delhi – 110 001
2. The Chief Postmaster General  
Kerala Circle  
Thiruvananthapuram – 695 033
3. The Postmaster General  
Central Region  
Cochin – 682 020
4. The Sr.Superintendent of Post Offices  
Aluva Postal Division  
Aluva – 683 101
5. The Director of Accounts (Postal)  
Office of the Chief Postmaster General  
Kerala Circle,  
Thiruvananthapuram – 695 033

- Respondents

(By Advocate: Mr.N.Anilkumar,SCGSC)

The O.A having been heard on 5<sup>th</sup> May, 2021, this Tribunal delivered the following order on the same day:

**ORDER (ORAL)**

The reliefs sought in the Original Application are as follows:

“(i) Declare that the non-feasance on the part of the respondents to forthwith release the applicant's provisional pension as also the leave encashment is arbitrary, discriminatory, contrary to the law and unconstitutional.

(ii) Direct the respondents to release the applicant's provisional pension for the period from 1.3.2021 and also the applicant's leave encashment, and to pay the same within a time frame as may be found just and proper by this Hon'ble Tribunal.”

2. Counsel for the applicant present. A statement has been filed by the respondents today as bench mark.

3. Counsel for the applicant submits that the provisional pension and leave surrender have already been granted to the applicant and he has no objection in closing the Original Application subject to any further litigation that may arise in connection with leave surrender and provisional pension.

4. The O.A is closed subject to any further litigation that may arise in connection with leave surrender and provisional pension. No costs.

**(P.Madhavan)**  
**Judicial Member**

**List of Annexures**

Annexure A1 - True copy of the order bearing No.B1/Retirement dated 9.2.2021 issued by the 4<sup>th</sup> respondent

Annexure A2- A true copy of the order bearing No.C/PEN/857 dated 6.7.2020 issued by the 4<sup>th</sup> respondent

Annexure A3- A true copy of the representation submitted by the applicant dated 3.4.2021 addressed to the 4<sup>th</sup> respondent by regd. Post.

Annexure A4- A true copy of the letter bearing No.C/Pen/857 dated 9.4.2021 issued by the fourth respondent is produced herewith and marked as

Annexure R1- True copy of the letter No.C/Pen/857 dated 13.10.2020

Annexure R2- True copy of the letter No.166/Pen-2/20497/2021 dated 19.4.2021

Annexure R3- True copy of the letter No.AN2/prov Postal Pension dated 21.4.2021

Annexure R4- True copy of the memo no.C/Pen/857 dated 29.4.2021.

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