

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

ALLAHABAD this the 24<sup>th</sup> day of May, 2013.

Original Application Number. 427 OF 2007.

**HON'BLE MR. SHASHI PRAKASH, MEMBER (A)**

Hari Shankar Pandey, Son of Yugal Narain Alias Vishwa Nath Pandey, Resident of Village - Jaswan, Post Office - Tela, District - Allahabad.

.....Applicant

**VE R S U S**

1. Union of India through Secretary, Ministry of Communication, Government of India, New Delhi.
2. Chief Post Master General, U.P. Lucknow.
3. Post Master General, Allahabad Mandal, Allahabad.
4. Senior Superintendent of Post Offices, Allahabad.
5. Inspector, Post Offices, Sub Division, Allahabad.
6. Post Master, Kutchery Post Office, Allahabad.

.....Respondents

Advocate for the applicant: Shri R.S. Kushwaha

Advocate for the Respondents : Ms. Shikha Dixit

**O R D E R**

By way of the instant Original Application filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for a direction to the respondent No. 4 to pay pension and consequential post retiral benefits i.e. provident fund, gratuity, group insurance payable to him after superannuation.

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2. The applicant, who had been appointed as EDDA, Tela Branch Post Office under Baraut Sub Post Office, Allahabad on 22.02.1968, superannuated on 11.09.2006. In the present O.A the main grievance of the applicant is that retiral benefits, which were due to him, have not been paid by the respondents.

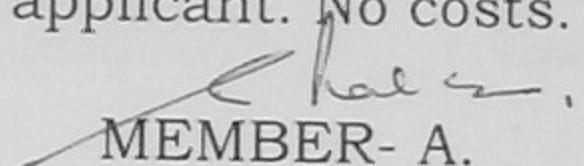
3. It is seen from the pleadings on record that the EDDA, as per rules, is not entitled to any pension or provident fund. He is only entitled for the payment of ex-gratia gratuity, Severance allowances and EDGIS for which he ought to have filled up forms. But subsequent to his retirement in the year 2006, the applicant failed to fill up this form hence, the payment of entitled allowances to him could not be made. It has, however, now been brought to the notice of the court by the counsel for respondents that the applicant in the month of July 2001 has filled up the relevant forms, which have been sent to the Inspector of Posts, Handia for verification and the same has been received back in the office of respondent No. 4 on 23.11.2011 after due verification. Counsel for respondents has stated that it is on account of pendency of this O.A the entitled allowances could not be paid to the applicant.

4. The service condition of EDDA (now called as GDS) are governed by rule 6 of GDS (Conduct & Employment) Rules 2001 wherein it has been categorically mentioned that Sevaks are not entitled for any pension (Annexure CA-1). Hence, claim for payment of pension by the applicant does not arise. However, as per rules,

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he is entitled for ex-gratia gratuity, Severance allowance and EDGIS. It appears that non-payment of these allowances was due to non-filing up of the relevant forms by the applicants. Now he has completed this formality in the year 2011, there is no reason to withhold these allowances.

5. In view of the above position, the O.A is disposed of with direction to the Senior Superintendent of Post Offices, Allahabad / respondent No. 4 to make payment due to the applicant towards Ex-gratia gratuity, Severance allowance and EDGIS within a period of three months from the date of receipt of certified copy of the order. No pension is payable to the applicant. No costs.

  
MEMBER- A.

Anand....