

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A NO 485 OF 2013

Tuesday, this the 17th day of June, 2014

CORAM:

**HON'BLE MR.JUSTICE A.K.BASHEER, JUDICIAL MEMBER
HON'BLE MR.SHASHI PRAKASH, ADMINISTRATIVE MEMBER**

P.Sreekumaran
Postman, Balaramapuram
Thiruvannathapuram – 695 501
Residing at Ambadi, Mekola
Dhanuvachapuram PO
Thiruvananthapuram – 695 503

... Applicant

(By Advocate Mr.Vishnu S Chempazhanthiyil)

versus

1. Union of India represented by its
Secretary to Government of India
Department of posts
Ministry of Communications
New Delhi – 110 001
2. The Chief Post Master General
Kerala Circle
Thiruvananthapuram – 695 033
3. The Superintendent of Post Offices
Thiruvananthapuram South Postal Division
Thiruvananthapuram – 695 036

... Respondents

(By Advocate Mr.S.Jamal, ACGSC)

The application having been heard on 17.06.2014, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR.JUSTICE A.K.BASHEER, JUDICIAL MEMBER

The primary prayers in this Original Application, which is at the instance of a Postman, are extracted hereunder:

- (i) *"Declare that the applicant is entitled to be governed by the CCS (Pension) Rules, 1972 as done in the case of applicants in Annexures A-5,A-6, A-7. A-9, A-10 & A-11 judgments.*

(ii) *Direct the respondents to reckon qualifying service of the applicant with effect from date of occurrence of vacancy for the purpose of pensionary benefits under CCS (Pension) Rules.*

(iii) *Grant all consequential benefits consequent on being treated as a person covered under CCS(Pension) Rules, 1972, including stoppage of monthly recovery towards the new defined pension scheme."*

2. When this case is taken up for consideration today, it is brought to our notice that Respondent No.3, Superintendent of Post Offices, Thiruvananthapuram South Postal Division has filed an affidavit as directed, stating thus:-


" It is submitted that the applicant in the OA who was appointed as Postman with effect from 22.03.2004 was found eligible for notional appointment as Group D with effect from 01.05.2002. Accordingly, the applicant in the instant OA would automatically come under the purview of CCS (Pension) Rules, 1972. It is humbly submitted that orders to that effect will be issued shortly."

3. Learned counsel for the respondents submits that appropriate further orders as indicated in the above paragraph will be issued immediately, if not already done so. The above submission is recorded.

4. Original Application is disposed of with a direction to the respondents to issue appropriate orders as indicated in Para 5 of the affidavit, as expeditiously as possible, at any rate, within four weeks from the date of receipt of a copy of this order.

4. Original Application is disposed of in the above terms. No costs.

Dated, the 17th June, 2014


SHASHI PRAKASH
ADMINISTRATIVE MEMBER


JUSTICE A.K. BASHEER
JUDICIAL MEMBER

vs