

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**ORIGINAL APPLICATION NO:547/2008.  
DATED THE 13<sup>th</sup> DAY OF AUGUST, 2009.**

**CORAM:**

**HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER  
HON'BLE Mr K GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

G.S.Sreekantan Nair,  
Group D, General Post Office,  
Trivandrum-695 001.  
Permanent Address:TC 28/1484,  
SREE 1, Sreekanteswaram,  
Trivandrum-23. ... Applicant

By Advocate Mr T C G Swamy

V/s

- 1 Union of India, Represented by  
The Secretary to the Government of India,  
Ministry of Communications,  
Department of Posts, New Delhi.
- 2 The Chief Post Master General,  
Kerala Circle, Trivandrum.
- 3 The Senior Post Master,  
Trivandrum General Post Office,  
Trivandrum.

By Advocate Mr TPM Ibrahim Khan SCGSC

This application having been heard on 13.08.2009 the Tribunal on the same day:delivered the following

(ORDER)

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

Applicant's grievance is that his service rendered against a  
Group 'D' post from January 1996 to the date of his regular appointment as

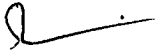
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a Group 'D' employee has not been reckoned for the purpose of pension. He has made the Annexure A-4 representation to The Senior Post Master, General Post Master, Trivandrum stating that he joined the Postal service initially as a substitute ED Packer on 3.1.1990 and later on, on provisional basis. His service was regularised from 16.12.1994. According to him, he was working against a Group 'D' post from January 1996 onwards without break. His officiating service as a Group 'D' employee from January 1996 was followed by a regular appointment w.e.f. 1.10.2000. He requested the aforesaid Senior Post Master to reckon the same for the purpose of pension under the CCS (Pension) Rules. As the applicant has not been favoured with a reply to the aforesaid representation, he has filed this OA seeking the following reliefs:-

- (i) Declare that the respondents are bound to reckon the applicant's service against a Group D post from January 1996, as qualifying for the purpose of pension and other retirement benefits;
- (ii) Direct the respondents to reckon the applicant's service from January 1996 as qualifying for pension under CCS (Pension) Rules 1972 and direct further to record the same in the applicant's service register accordingly;
- (iii) Award costs of and incidental to this Application;
- (iv) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case."

2 According to the learned counsel for the respondents, they have not received the aforesaid Annexure A-4 representation and therefore, there is no question of giving any reply. They have also submitted that on merit the applicant has no case.

3 We have heard the counsel for parties. We have not gone into the merits of the case.




4           The Annexure A-4 representation stated to have been sent by the applicant to the 3<sup>rd</sup> respondent has not been received by them, we are giving liberty to the applicant to make another detailed self contained representation to the competent authority within ten days. If such a representation is received, the competent authority shall consider the same in accordance with the Rules and dispose of by a speaking and reasoned order within a period of three months.

5           With the aforesaid direction, the OA is disposed of. There shall be no orders as to costs.



K GEORGE JOSEPH  
ADMINISTRATIVE MEMBER



GEORGE PARACKEN  
JUDICIAL MEMBER

abp