

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.86/98

Friday, this the 16th day of January, 1998.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR SK GHOSAL, ADMINISTRATIVE MEMBER

T Rajan,  
Retired Section Supervisor,  
Office of the Chief Post Master General,  
Trivandrum,  
T.C.36/1200, 'Poornima',  
Vallakkadavu.P.O.  
Trivandrum-695 008.

- Party in person

Vs

1. Chief Post Master General,  
Kerala Circle,  
Trivandrum.
2. Cabinet Secretary,  
Government of India,  
New Delhi. - Respondents

By Advocate Mr TPM Ibrahim Khan, SCGSC

The application having been heard on 16.1.98 the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant who retired from service on 31.3.1995  
made a representation requesting the benefit of order No.7/1/  
95 P&PW(F) dated 14.7.1995 enhancing the dearness pay to 97%  
for reckoning emoluments for the purpose of retirement gratuity  
may be extended to him. The request was turned down by the  
impugned order A-4. The applicant has filed this application

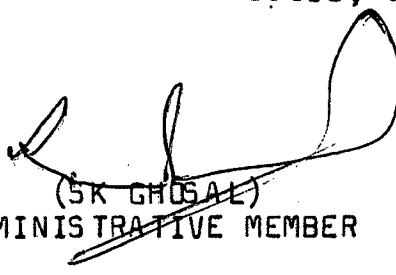
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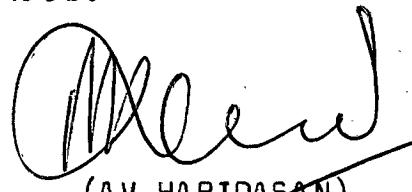
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challenging this order and prayed for a direction to the respondents to pay him gratuity giving him the benefit of the order dated 14.7.1995.

2. In the impugned order it has been very clearly stated that the applicant who retired on 31.3.1995 cannot be treated to have retired on or after 1.4.1995 as per Rule 35(1) of the CCA(Pension) Rules. Since the order dated 14.7.1995 deals with persons who retire on and after 1.4.1995 apparently the applicant cannot claim any benefit under the order. The order has not been challenged on the ground of arbitrary classification or hostile discrimination. We therefore do not find anything in this case in its present form which needs further deliberation. The O.A. is therefore rejected under Section 19(3) of the Administrative Tribunals Act. No costs.

Dated, the 16th January, 1998.

  
(SK GHOSALE)  
ADMINISTRATIVE MEMBER

  
(AV HARIDASAN)  
VICE CHAIRMAN

trs/201

LIST OF ANNEXURE

1. Annexure A4: Letter No.A & P/Per/44/94 dt. 28.11.95  
of Chief PMG, Trivandram.

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