

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 371 of 2011

Wednesday, this the 18th day of May, 2011

Hon'ble Justice Mr. P.R. Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

M. Ravindran Nair, (Retd. Mailman, HRO,
Thiruvananthapuram), Gopalam, Ullas Nagar,
Elippodu, Thirumala, Thiruvananthapuram-
695 006.

..... **Applicant**

(By Advocate – Mr. Vishnu S. Chempazhanthiyil)

V e r s u s

1. The Chief Post Master General,
Kerala Postal Circle, Thiruvananthapuram-33.
2. Union of India, represented by the Director
General of Posts, Dak Bhavan,
New Delhi-1.

..... **Respondents**

(By Advocate – Mr. Sunil Jacob Jose, SCGSC)

This application having been heard on 18.5.2011, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Justice Mr. P.R. Raman, Judicial Member –

The applicant is a retired Mailman who was in the service of the Postal Department. According to him he does not have the requisite number of years of service for pension as it falls short by 20 days. But it is his case that he has been in continuous officiating service from March, 1994 onwards before he was appointed as Group-D on regular basis with effect from 20.9.1994. Thus, if his officiating service is also taken into account he would satisfy the minimum qualifying service



for pension. According to him Rule 88 of the CCS (Pension) Rules provides for relaxation of the rules in case of undue hardship and it is further contention that it is a fit case that the powers under such rule can be invoked as the number of days fall short is only 20 for enabling him to get the minimum pension and unless that is done according to him it will cause undue hardship. Since a representation is made in his behalf vide Annexure A-11, we think it is only appropriate that the respondents be directed to consider the said representation and take a decision on the same.

2. In the result after hearing both sides, we direct the second respondent i.e. Director General of Posts, New Delhi to consider Annexure A-11 representation and to dispose of the same in accordance with law as expeditiously as possible within a period of three months from the date of receipt of a copy of this order. The applicant may serve a copy of this order on the second respondent for information and compliance.

3. In the aforesaid terms, the Original Application stands disposed of. No order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

"SA"

371/11

15.9.11

PRR/KGJ

C-1

19. Mr. Rajesh for Mr. Sunil Jacob Jose, SCGSC
Mr. Vishnu S Chempazhanthiyil (rep.)

MA 729/11

This is an application for enlargement of time fixed in the final order passed in OA 371/11. For the reasons stated in the application and after hearing both the sides, we enlarge the time till 24.10.2011. MA is accordingly allowed.

KGJ(AM)

PRR(JM)

asp

4/9/11

2/16/9

Order Issued