

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00242/2018

Dated Wednesday the 21st day of February Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

S.Esakki,
No. 175/4, Pillayar Koil Street,
Therkupatti Manur,
Manur 627201.Applicant

By Advocate M/s. S. Arun

Vs

- 1.Union of India rep by,
Chief Postmaster General,
Office of the Chief Postmaster General,
Chennai 600002.
- 2.The Senior Superintendent of Post Offices,
Tirunelveli Division,
Tirunelveli 627002.Respondents

By Advocate Mr. K. Rajendran

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To set aside Memo No. C/NPS-CCS(P) Misc Dlgs dated 09.03.2017 passed by the 2nd respondent and consequently direct the respondents not to recover any amount from applicant toward subscription to New Pension Scheme besides directing to induct applicant under Old Pension Scheme in terms of CCS (Pension) Rules, 1972 after considering his entire Gramin Dak Sevak service for the purpose of pension calculation and pass such other orders as are necessary to meet the ends of justice.”

2. Learned counsel for the applicant submits that the applicant is aggrieved by the Annexure A5 rejection of his representation dated 28.12.2016 seeking the benefit of pension under the CCS (Pension) Rules, 1972. It is submitted that in his representation, the applicant had referred to the order of the Principal Bench in one such case where a direction had been given to the authorities to treat the entire service of the applicant therein as service qualifying for pension under the said rules. The impugned order makes no reference to the order of the Principal Bench in that case and as such, it is non-speaking. The applicant would be satisfied if the competent authority is directed to pass a speaking order with due reference to the order of the Principal Bench extending pensionary benefits to persons similarly placed as the applicant.

3. Mr. K. Rajendran takes notice for the respondents and submits that if time is granted, a detailed reply would be filed.
4. Be that as it may, keeping in view the submission of the learned counsel for the applicant and without going into the substantive merits of his claim, I deem it appropriate to direct the competent authority to pass a reasoned and speaking order on Annexure A4 representation of the applicant dated 28.12.2016 within a period of one month from the date of receipt of a copy of this order.
5. OA is disposed of with the above direction at the admission stage.

(R. Ramanujam)
Member(A)
21.02.2018

SKSI