

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

OA/310/01290/2018

Dated Friday the 28th day of September, Two Thousand Eighteen

PRESENT

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

Dr.G.Ramamoorthy,
TGT (Science) (Rtd) [Emp Code: 29460]
E-252, 12th, 4th Cross Road,
Periyar Nagar, Chennai 600 082. .. Applicant

By Advocate M/s R.Arumugam

Vs.

1. Commissioner,
Kendriya Vidyalaya Sangathan,
Head Quarters, 18 Institutional Area,
Shahid Jeetsingh Marg,
New Delhi 110 016.

2. Deputy Commissioner,
Hyderabad Region,
Picket, Secundarabad 500 009.

3. Deputy Commissioner,
Kendriya Vidyalaya Sangathan,
Chennai Region, IIT Campus,
Chennai 600 036. .. Respondents

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:

“(a)For a declaration that the applicant deemed to have come under the GPF (Pension Scheme) in terms of the Policy under 1st respondent authorities O.M in F.No.152-1/79-80/KVS/Budget/Part-II dated 1-9-1988 with effect from 1-2-1989 and consequently extend the benefits of GPF (Pension) scheme to the applicant.

(b) Costs of this Original Application to be paid by the respondents

(c)Pass such further or and other order as may be required in facts and circumstances of the case.”

2. Learned counsel for the applicant submits that the applicant was entitled to migrate from CPF to GPF in the light of the order of the Hon'ble High Court of Madras dated 23.08.2018 in WP No.16467/2017. It is submitted that the applicant had made a representation dated 30.07.2018 regarding his grievance along with a request for his movement from CPF to GPF in the factual circumstances of his case which remained unanswered by the respondents. In the meantime, the Hon'ble High Court of Madras passed the order dated 23.08.2018 in the said case holding the petitioner therein eligible to be brought under the GPF scheme. Claiming to be similarly placed, the applicant seeks the benefit of the said order.

3. On perusal, it is seen that the applicant had made a representation on 30.07.2018 in which no previous judicial precedents

had been cited. However, since the Hon'ble High Court of Madras has passed an order dated 23.08.2018 in this regard and the applicant claims to be similarly placed, he is permitted to make a fresh representation to the competent authority relying on the said order, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the competent authority shall consider the same in accordance with law and pass a reasoned and speaking order within a period of two months thereafter. It is made clear that no view has been expressed herein on the merits of the applicant's claim.

4. OA is disposed of with the above directions. No costs.

(R.Ramanujam)
Member(A)
28.09.2018

M.T.