

**Central Administrative Tribunal
Madras Bench**

OA 310/01170/2018

Dated Friday the 31st day of August Two Thousand Eighteen

P R E S E N T

**Hon'ble Mrs. Jasmine Ahmed, Member (J)
&
Hon'ble Mr. T. Jacob, Member(A)**

V. Prabakaran
No. 218, Bajanaikoil Street
Ammapalayam Village
Onnupuram Via, Arni Taluk
Tiruvannamalai
Pin – 632 315.

.. Applicant

By Advocate **Ms. R. Malaichamy**

Vs.

1. Union of India
Rep. by the Secretary
Ministry of Communications & I.T.
Department of Posts
Dak Bhavan, Sansad Marg
New Delhi – 110 001.

2. The Chief Postmaster General
Tamil Nadu Circle
Anna Salai
Chennai – 600 002.

3. The Postmaster General
Chennai City Region (TN)
Chennai – 600 002.

4. The Superintendent of Post Offices
Tiruvannamalai Division
Tiruvannamalai – 606 601.

.. Respondents

By Advocate **Mr. M. Kishore Kumar**

ORAL ORDER

Pronounced by Hon'ble Mrs. Jasmine Ahmed, Member(J)

Heard Mr. T. Ashok Raj for M/s R. Malaichamy, Counsel for applicant and Mr. M. Kishore Kumar, Counsel for Respondents. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

“1. To call for the records of the 4th respondent pertaining to his orders which is made in No. E/Misc/dlgs dated 15.06.2018 and set aside the same; consequent to

2. direct the respondents to declare the applicant is not a new entrant but his service including GDS service covered under old pension scheme for all purpose i.e., Old Pension Scheme under CCS (Pension) Rules 1972; consequent to,

3. direct the respondents to refund the amount recovered from his monthly wages towards pension contribution under new pension scheme; and

4. To pass such further or other orders”

2. It is the contention of the learned counsel for the applicant that the applicant gave representation dated 21.05.2018 to declare the GDS service as qualifying service and to treat the entire service including GDS service of the applicant under old pension scheme i.e. under CCS (Pension) Rules 1972. He also contended that vide letter dated 15.06.2018 the respondents had regretted and rejected his case.

3. Learned counsel for the respondents Mr. M. Kishore Kumar informs the court that the issue is already pending before the Hon'ble Apex Court.

4. Accordingly we feel it is unnecessary to keep this matter pending before this Court. Hence this OA is disposed of with the direction that the respondents will

act according to the outcome of the SLP and if it goes in favour of the applicant they will take necessary steps to implement the order.

5. OA is disposed of at the admission stage. It is made clear that nothing is commented on the merits of the case.

6. Mr. M. Kishore Kumar takes notice for the respondents.

(T. Jacob)
Member (A)
AS

31.08.2018

(Jasmine Ahmed)
Member(J)