

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00107/2018

&

OA/310/00223/2018

Dated Friday the 16th day of February Two Thousand Eighteen

PRESENT

HON'BLE SMT. B. BHAMATHI, Member (A)

1.S.Kuppusamy,
2.C.Jayaseeli,
3.K.Duraisamy.Applicants

By Advocate M/s. P. Rajendran

Vs

1.The Union of India rep by,
Chief Post Master General,
Tamil Nadu Circle, Chennai 600002.
2.The Senior Superintendent of Post Offices,
Erode Division, Erode Head Post Office,
Erode 638001.Respondents

By Advocate Mr. K. Rajendran

ORAL ORDER

(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))

Heard learned counsel for the applicants. MA 107/2018 filed by the applicants for joining together and filing a single OA is allowed.

2. The applicants have filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the respondents to refrain from applying the New Pension Scheme to the applicants but to apply the Old Pension Scheme and count the service rendered in the post of GDS for the purpose of computing the qualifying service for Pension as directed by the Principal Bench on this Hon'ble Tribunal in OA 749/2015 etc., dated 17.11.2016 and render justice.”

3. Learned counsel for the applicants submits that the applicants were initially appointed as Extra Departmental Agents (later redesignated as GDS) before 01.01.2004 and thereafter absorbed on regular basis after 01.01.2004. The applicants are aggrieved by the fact that New Pension Scheme applied on them without considering the fact that they entered in the Government service before 01.01.2004. The applicants have relied on the judgments of the Principal Bench in OAs 749/2015 etc., dt. 17.11.2016 and Hon'ble Madras High Court in the case of ***Union of India and anr. Vs. K. Punniyakoti and ors*** dt. 19.03.2014.

4. Learned counsel for the applicants submits that the applicants would be satisfied if they are permitted to make representations to the respondents citing the judgments of Principal Bench and Hon'ble Madras High Court (supra) and the respondents are directed to dispose of the representations within a time limit stipulated by this Tribunal.

5. To meet the ends of justice and without going into the merits of the case, I deem it appropriate to permit the applicants to make representations to the respondents with regard to their grievances within a period of one week from the date of receipt of a certified copy of this order. On receipt of such representation, the respondents shall duly consider the same, in accordance with law and pass reasoned and speaking orders thereon within a period of 12 weeks thereafter.
6. OA is disposed of with the above direction at the admission stage.
7. Mr. K. Rajendran takes notice for the respondents.

(B. Bhamathi)
Member(A)
16.02.2018

SKSI