

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00364/2018

Dated Tuesday the 17th day of April Two Thousand Eighteen

PRESENT

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

A.Perumal,
Plot No. 34, Brindhavan Nagar,
First Street, KTC Nagar North,
Maharajanagar 627011.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 Smt. B. Bhamathi, 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. It is submitted that the applicant was initially appointed as GDS in the year 1981 and thereafter promoted to the post of MTS in the year 2012. He is aggrieved by the application of New Pension Scheme which came into effect from 01.01.2004. He made a representation on 21.01.2017 for considering him under the Old Pension Scheme. The applicant has placed his reliance on the order of the Principal Bench in OA Nos. 749/2015 and batch cases dated 17.11.2016. The applicant's representation was rejected by the impugned order dt. 09.03.2017. Hence the applicant has approached this Tribunal.

3. Learned counsel for the respondents submits that a Writ Petition has been filed against the order of the Principal Bench dt. 17.11.2016 by the respondents therein in the Hon'ble Delhi High Court. The applicants therein have also filed a Writ Petition. Both the Writ Petitions are still pending before the Hon'ble Delhi High Court.

4. On perusal, it is seen that the impugned order dt. 09.03.2017

rejecting the applicant's representation is non speaking. Therefore without going into the merits of the case, I deem it appropriate to direct the 2nd respondent to reconsider the applicant's representation dt. 21.01.2017 in accordance with law and pass a reasoned and speaking order within a period of six weeks from the date of receipt of a certified copy of this order.

5. OA is disposed of with the above direction at the admission stage.

(B. Bhamathi)
Member(A)
17.04.2018

SKSI