

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00321/2017

Jabalpur, this Monday, the 2nd day of July, 2018

HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

Dr. Mukul Das, S/o Late S.N.Das,
Age:59 yrs. 10 months, Presently working as CMO,
Gun Carriage Factory, Jabalpur (M.P.), Pin-482001 **-Applicant**

(By Advocate –**Shri S. Ganguly**)

V e r s u s

1. Union of India, through its Secretary,
Ministry of Defense, Department of Defense Production,
South Block, New Delhi-110001

2. Chairman/Director General, Ordnance Factory Board,
10-A, Saheed Khudiram Bose Road, Kolkata-700001

3. Ministry of Personnel, Public Grievance & Pension,
DOP&T, North Block, New Delhi-110001,
Through its Secretary, **-Respondents**

(By Advocate –**Shri N.K.Mishra**)

O R D E R (ORAL)

By Navin Tandon, AM:-

The applicant is working as C.M.O. in Gun Carriage Factory, Jabalpur. He was to superannuate on 31.05.2017, considering the age of superannuation as 60 years.

2. This Original Application was filed to seek the benefit which was granted to General Duty Medical Officers of Central Health

Service by Gazette notification dated 31.05.2016 (Annexure A-2) of having age of superannuation as sixty five years.

3. This Tribunal, as an interim measure had directed the respondents vide its orders dated 09.05.2017 to allow the applicant to continue in the same post till final decision is taken by the respondent department.

4. The respondents had approached the Hon'ble High Court of Madhya Pradesh which modified the interim order of this Tribunal on 29.05.2017 that:

“The interim order shall continue as usual, but the benefit of the service would only be given to the petitioner if the age of superannuation is extended as is expected to be and if the age of superannuation is not extended, the petitioner shall refund the benefits given to him during his service after 31.05.2017.”

5. The applicant in their rejoinder has filed orders of Ministry of Defence dated 16.01.2018 (Annexure RJ/3) in which the case of the applicant has been considered and decided to extend the benefits of enhancement of age of superannuation to 65 years.

6. Learned counsel for the applicant submitted that the respondent department have also issued orders on 06.06.2018 deciding that the applicant will continue to be in service till attaining the age of 65 years.

7. In view of the above, relief sought for by the applicant in this Original Application has been granted.
8. Learned counsel for the respondents agrees to the above.
9. Accordingly, this Original Application is disposed of as having become infructuous.

(Ramesh Singh Thakur)
Judicial Member
rn

(Navin Tandon)
Administrative Member