

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00934/2016

DATED THIS THE 18<sup>TH</sup> DAY OF DECEMBER, 2018

**HON'BLE DR.K.B.SURESH, MEMBER (J)**

**HON'BLE SHRI C V SANKAR, MEMBER (A)**

1. H.S Annepppa,  
S/o Sri Shankarappa,  
Aged 54 years,  
Poultry Attendant,  
Central Poultry Development Organisation  
Hesarghatta, Bangalore – 560 088

2. Muniraju,  
S/o Shri Muniyappa,  
Aged 54 years,  
Poultry Attendant,  
Central Poultry Development Organisation  
Hesarghatta, Bangalore – 560 088

3. Nanjappa,  
S/o Shri Muniswamiah,  
Aged 57 years,  
Poultry Attendant,  
Central Poultry Development Organisation  
Hesarghatta, Bangalore – 560 088

.....Applicants

(By Advocates Shri H.R.S. Rao and K. Sreeram)

Vs.

1.The Union of India,  
Represented by the Secretary  
Ministry of Agriculture,  
Department of Animal Husbandary,  
Dairying and Fishery,  
Krishi Bhavan,  
New Delhi-110 001.

2. The Director,  
Central Poultry Development Organisation  
Government of India,  
Ministry of Agriculture,  
Department of Dairying and Fisheries,  
Hesaraghatta,  
Bangalore-560 088,

.....Respondents

(By Shri Vishnu Bhat, Counsel for the Respondents)

ORDER (ORAL)

DR. K.B. SURESH, MEMBER (J):

It appears that we have passed an order in a connected matter in OA No. 990/2015 dated 12.02.2016 which we quote below:

*“Heard. The applicant was appointed in 1993, thereafter he was granted temporary status and regularized in 2004. But it was in October, 2004 that he was regularized. The new pension scheme came into force on 01.01.2004. The question was raised by the respondents as whether applicant will be entitled to be deemed in the old scheme or the new scheme. In any case, they have followed the principles taken up earlier and which was also concretized by orders of the Hon’ble Apex Court. The earlier service of the applicant will also be considered and, therefore, without any doubt, he will be within the beneficial ambit of the old pension. This is hereby declared. OA is allowed to this extent. Benefits, if any, to be made available within 3 months next. No order as to costs.”*

2. Therefore, in terms of it, this OA is also allowed. Benefits to be made available within 3 months next. No order as to costs.

(C V SANKAR)  
MEMBER (A)

(DR.K.B.SURESH)  
MEMBER (J)

/ksk/

**Annexures referred to by the applicant in OA No.170/00934/2016**

Annexure-A1: Copy of the order dated 19.08.1991 of Central Administrative Tribunal in O.A. No. 900 to 904/1990

Annexure-A2: Copy of the order dated 01.03.1996 of the Hon'ble Supreme Court in SLP No. 21670 to 21674/1995

Annexure-A3: Copy of the order dated 19.02.2003 in O.A. No. 167 and 234 to 236/2002

Annexure-A4: Copy of the communication dated 12.06.2003

Annexure-A5: Copy of the order dated 29.07.2003 of Central Administrative Tribunal in CP No. 95 to 98/2003

Annexure-A6: Copy of the order dated 10.08.2005 in O.A. No. 700 and 769-771/2004

Annexure-A7: Copy of the order dated 18.11.2005

Annexure-A8: Copy of the OM dated 05.02.2007

Annexure-A9: Copy of the order dated 06.03.2007 in O.A. No. 135/2006

Annexure-A10: Copy of the representation of the applicant dated 06.06.2016

Annexure-A11: Copy of the representation of the applicant dated 30.07.2016

Annexure-A12: Copy of the OM dated 28.07.2016

**Annexures with reply statement**

Nil

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