

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No.60/133/2017

Date of decision: 14.02.2019

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

Dinesh Kumar S/o Vaishno Digamber, aged about 62 years, resident of HL-111, Phase-I, Mohali, Punjab (Group C).

... APPLICANT

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi-110011.
2. Post Graduate Institute of Medical Education and Research, Sector-12, Chandigarh through its Director.

... RESPONDENTS

PRESENT: Sh. R.K. Sharma, counsel for the applicant.
Sh. V. K. Arya, counsel for respondent No.1.
Sh. D. R. Sharma, counsel for respondent no.2.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Present O.A. has been filed by the applicant seeking following relief:-
"8(i). The respondents be directed to pay pension to the applicant w.e.f. his date of superannuation.
(ii). The respondents be further directed to pay interest to the applicant on arrears of pension due to him @ 12% p.a. till the date of payment.
(iii). The respondents be also directed to pay to the applicant the amount due to him on account of deductions towards GPF along with interest @ 12% p.a. till date of payment."
2. After exchange of pleadings, matter came up for hearing today, when learned counsel for PGIMER drew our attention to Agenda/Minutes of

meeting dated 8.12.2017 (Annexure A-16), whereby a decision has been taken by Governing body, in agenda item no.12, in the case of Dr. V.K. Kak, Ex-Professor of Neurosurgery, PGIMER, Chandigarh along with 6 other persons to grant them benefit of Pension-cum-Gratuity Scheme. He submitted that their case was similar to the applicant herein, who wants to switch from CPF to GPF, and since benefit has been granted in their favour therefore, let PGIMER be given a chance to reconsider case of the applicant as well so that the matter can be resolved at departmental level.

3. Considering that the respondents have themselves allowed benefit to similarly situated persons, as noticed above, therefore, matter is remitted back to respondent PGIMER to reconsider the case of the applicant also in the light of agenda item no.12 approved on 8.12.2017. If case of the applicant is found similar, then benefit be granted to him. Let the above exercise be carried out within a period of three months from the date of receipt of a certified copy of this order.
4. The O.A. stands disposed of in the above terms. No costs.

**(P. GOPINATH)
MEMBER (A)**

Date: 14.02.2019.
Place: Chandigarh.

**(SANJEEV KAUSHIK)
MEMBER (J)**

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