

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 217 of 2019

This the day of 24th April, 2019

Hon'ble Ms. Jasmine Ahmed, Member-J

Magdoom Prasad Gupta, aged about 61 years, S/o Sri Shiv Nath Gupta,
R/o R/o Village Shivpur Khurd, Post Shivpur, District Pratapgarh
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Applicant

By Advocate : Sri Anil Kumar Yadav

Versus.

1. Union of India through Secretary, Department of Posts,
Government of India, New Delhi
2. Chief Postmaster General, U.P. Circle, Lucknow.
3. Superintendent of Post Offices, Pratapgarh.
4. Sub-Divisional Inspector, Pratapgarh.

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Respondents

By Advocate : Sri Pawan Kumar Tiwari

O R D E R (Oral)

It is the contention of the learned counsel for the applicant that the applicant, who was working as C.P. Chowkidar, has retired from service on 31.12.2018 on attaining the age of superannuation after rendering more than 40 years of satisfactory service, but he has not been paid any pension after his retirement till date. Learned counsel for the applicant states that the case of the applicant is squarely covered by the decision dated 27.3.2014 rendered by Allahabad Bench of this Tribunal in O.A. No. 436 of 2011 (Haider Husain Vs. Union of India & Others). It is also contended by learned counsel for the applicant that the judgment of Allahabad Bench of this Tribunal has been affirmed by Hon'ble High Court in Writ petition No. 68773 of 2014 (Union of India & Others Vs. Haider Husain). Learned counsel for the applicant states that the applicant has preferred a representation dated 13.3.2019 to the respondents, but the respondents did not pass any other thereon. At this stage, learned counsel for the applicant states that he would be happy and satisfied if a direction is being issued by this Tribunal to consider and decide the representation of the applicant dated 13.3.2019 by

passing a reasoned and speaking order within a stipulated period of time.

2. Taking into account the innocuous prayer made by the applicant, we direct the respondent no.3/competent authority to consider and decide the pending representation of the applicant dated 13.3.2019 in the light of decision rendered by Allahabad Bench of this Tribunal, affirmed by Hon'ble High Court at Allahabad, referred to above, within a period of three months from the date of receipt of certified copy of this order under intimation to the applicant by passing a reasoned and speaking order. On examination, if it is found that the applicant is similarly situated person with that of the applicant in O.A. No. 436 of 2011 (Allahabad Bench), the same benefit shall also be extended to the applicant, herein, to avoid further litigation. It is made clear that nothing has been commented on the merits of the case.

3. With the above observations, the O.A. stands disposed of at admission stage itself. There shall be no order as to costs.

(Ms. Jasmine Ahmed)
Member-J

Girish/-