

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.198/2019

Dated Tuesday, the 26th day of February, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

P.Alagu,

S/o. A.L.Perumal,

No.3/72, Agraharam Street,

Panayapatti PO, Pudukkottai 622 402

...Applicant

By Advocate M/s S.RamaswamyRajaraman

Vs.

1.Union of India, rep., by

The Secretary, Department of Posts,

Dak Bhawan, Sansad Marg, New Delhi 110 001.

2.The Chief Postmaster General,

Tamilnadu Circle, Anna Salai,

Chennai 600 002.

3.The Superintendent of Post Offices,

Pudukkottai Division, Pudukkottai 622 402.

...Respondents

By Advocate Mr.C.Kulanthaivel

(Order: Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the respondents to grant pensionary benefits to the applicant under old pension scheme i.e., CCS Pension Rules, 1972 by taking into account the service rendered by him as GDS and to give him all consequential benefits.”

2. It is submitted that the applicant had worked as GDS before his appointment as Postman and he is entitled to be granted the benefit of GDS service as also pension under the CCS Pension Rules, 1972 in terms of the order of the Principal Bench in **OA 749/2015 dated 17.11.2016 in the case of VINOD KUMAR SAXENA AND OTHERS VS. UNION OF INDIA, M/O COMMUNICATIONS**. The applicant made a representation and the respondents have rejected the same stating that no instructions had been received from the competent authority in this regard. Hence this OA.

3. Mr.C.Kulanthaivel takes notice on behalf of the respondents.

4. Similar cases have been disposed of by this Tribunal with a direction to the respondents to review their decision in regard to the applicant(s) therein in the event of the Hon'ble Apex Court upholding the law in favour of persons similarly placed. Accordingly, this OA is also disposed of with a direction to the respondents to review the claim of the applicant herein in

the event of the Hon'ble Supreme court holding that persons who had served as GDS prior to appointment as Postman before 01.01.2004 are entitled to pension under the CCS Pension Rules, 1972 and that the period of service rendered as GDS should be counted towards qualifying service for such persons.

5. OA is disposed of as above.

(R.RAMANUJAM)
MEMBER (A)
26.02.2019

M.T.