

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00958/2018

Dated Monday the 23rd day of July Two Thousand Eighteen

PRESENT

**HON'BLE MR. R. RAMANUJAM, Member (A)
&
HON'BLE MR. P. MADHAVAN, Member (J)**

S.Kannan,
No. 80, Sannathi Street,
Srivaikuntam 628601.Applicant

By Advocate M/s. S. Arun

Vs

1. Union of India rep by,
Chief Postmaster General,
Office of the Chief Postmaster General,
Chennai 600002.
2. The Senior Superintendent of Post Offices,
Tuticorin Division,
Tuticorin 628008.Respondents

By Advocate Mr. K. Rajendran

ORAL 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 set aside memo no. B2/GDS/Misc dt. 07.03.2017 passed by the 2nd respondent and consequently direct the respondents to grant full superannuation pension to him under Old Pension Scheme in terms of CCS (Pension) Rules, 1972 after considering both his GDS and MTS service with arrears and all attendant benefits including interest at the rate of 12% per annum on arrears and pass such other orders as are necessary to meet the ends of justice. "

2. It is submitted that the applicant joined the Postal department as ED Messenger on 23.02.1972. He was promoted to Group D post on 10.12.1998 and retired as such on 31.10.2009. He is aggrieved that his pensionary benefits had been calculated w.e.f. 10.12.1998 excluding the period of services rendered by him as GDS. He made a representation dt. Nil.03.2017 relying on the order of the Principal Bench of this Tribunal dt. 17.11.2016 in OAs 749/2015 & batch for counting of his services rendered as GDS for pensionary benefits which was rejected by impugned order dt. 07.03.2017.

3. Mr. K. Rajendran, Standing counsel takes notice for the respondents and submits that the order of the Principal Bench in the said cases had been challenged in a Writ Petition before the Hon'ble Delhi High Court and the matter is pending. The respondents would

take action as per the directions of the Hon'ble High Court as and when the same is disposed of.

4. Keeping in view the aforesaid submission, this OA is disposed of with a direction to the respondents to review Annexure A3 impugned order dt. 07.03.2017 in respect of the applicant if the Hon'ble Delhi High Court upholds the decision of the Principal Bench in the aforesaid cases.

5. OA is disposed of with the above direction at the admission stage.

(P. Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

23.07.2018

SKSI