

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Tuesday 18th day of December Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A. 310/989/2015

N. Karunamoorthy,
S/o. M. Natarajan
Aged about 63 years,
Residing at No.19,
Mahalakshmi Nagar Extension VI,
Nandivaram,
Guduvancherry- 603 202.

....Applicant

(By Advocate: M/s. Balan Haridas)

Versus

1. Union of India Rep. by its
Director General of Civil Aviation,
Civil Aviation Department,
Rajiv Gandhi Bhavan,
Opp to Safdurjung Airport,
New Delhi- 110 003;
2. Director of Administration,
O/o. Director General of Civil Aviation,
Opp. To Safdurjung Airport,
New Delhi- 110 003;
3. Airports Authority of India,
Rep. by its Regional Executive Director,
Southern Region,
Chennai Airport,
Meenambakkam,
Chennai- 600 027.

.....Respondents

(By Advocate: Mr. R. Soundararajan)

ORAL ORDER

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

Heard. Applicant has filed this O.A. seeking the following reliefs:-

“to set aside the order of the 1st respondent dated 27.05.2015 bearing No. A. 38020/04/2015-E.I as illegal, arbitrary and contrary to law;

ii) Consequently direct the 1st and 2nd respondents to sanction the pension with effect from the date when the same had been extended to the employees who had filed W.P. No. 39431 to 39434 of 2005 and W.P. Nos. 14769 to 14773 of 2013 and pay pension along with pension arrears to the applicant.”

2. It is submitted that in a similar case, this Tribunal had rejected the claim for shifting the date of absorption so as to confer eligibility for pension under the previous employer. However, the Hon'ble High Court, on Writ Petition filed by the applicant therein, had allowed the claim. Now the matter is before the Hon'ble Supreme Court in a Special Leave Petition filed by the respondents. Accordingly, the applicant would be satisfied if the impugned order is directed to be reviewed in the event of a person similarly placed as the applicant is granted the benefit after the Hon'ble Supreme Court finally disposes of the matter.

3. Keeping in view the above limited relief sought and without going into the substantive merits of the case, this O.A is disposed of with a direction to the respondents to reconsider the matter of shifting the date of absorption of the applicant in the event of the law being settled in favour of persons similarly placed as the applicant in

the SLP filed against the orders of the Hon'ble High Court in the WPs mentioned above. OA is disposed of accordingly. No costs.

(R. RAMANUJAM)
MEMBER (A)

18.12.2018

Asvs.