

**Central Administrative Tribunal
Madras Bench**

OA 310/00990/2015

Dated Thursday the 20th day of December Two Thousand Eighteen

P R E S E N T

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

S. Jayagopal
No. 103, Mahalakshmi Nagar Extension VI
Nandivaram
Guduvancherry 603 202.

.. Applicant

By Advocate **M/s. Balan Haridas**

Vs.

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 (R1&R2)**

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 reliefs:

“i. To set aside the order of the 1st respondent dated 27.5.2015 bearing No. A.38020/04/2015-E.I as illegal, arbitrary and contrary to law.

ii. consequently direct the 1st and 2nd respondent 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 and

iii. Pass such other orders or directions”

2. Learned counsel for the applicant submits that a similar case had been disposed of in OA 1427/2014 and batch by an order dated 04.11.2016 wherein it was observed that as the point of law on which relief was granted earlier did not appear to have been settled finally and the matter was still pending before the Hon'ble Apex Court, the respondents shall review their stand regarding shifting the date of absorption in such a manner as to enable the employee to qualify for pension under the previous employer, in the event of the SLPs No. 14031-14034/2016 being decided in favour of the persons similarly placed as the applicant therein. Accordingly the applicant herein would be satisfied if a similar order is passed in this case also, it is urged.

3. Keeping in view of the above submission and as the fact of similarity between the instant case and the one disposed of by this Tribunal in OA 1427/2014 is not disputed by the contesting respondents, this OA is also disposed of with the direction to the respondents that they shall review their stand in respect of the applicant in the event of the aforesaid SLPs being decided in favour of persons similarly placed as the applicant herein.

(R.Ramanujam)
Member (A)
20.12.2018

AS