

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

O.A.No.310/00322/2019

with

M.A.310/00132/2019

Dated Wednesday the 13<sup>th</sup> Day of March 2019.

PRESENT

**Hon'ble Mr. P. MADHAVAN, MEMBER (J)**  
**Hon'ble Mr. T. JACOB, MEMBER (A)**

1. C. Raghupathi, Son of N.V. Chinnaiah, aged 54 years, residing at 26, Government ITI Quarters, High Field Road, Near Field Road, Near Sim's Park, Coonoor-643101, working as MTS, Group D, Coonoor RS, Nilgiris District.
  2. G. Divakaran, Son of C. Govindarajan, aged 52 years, residing at 19, Rajaji Nagar, Coonoor 643102, Nilgiris District, working as Postal Assistant, Udthagamandalam HO, Nilgiris District.
  3. K.R. Ajidkumar, Son of Raman, aged 45 years, residing at 3/318, Parangottil House, ambalavayal, Munnarad Post, Konnachal Via, Nilgiris District, working as Sub Post Mast, New Hope, Nilgiris District.
  4. A.T. Greesha, wife of A.K. Thankappan, aged 47 years, residing at Kuttankal House, Machikolly Post, Gudalour, ilgiris District, working as Sub Post Master, Uppatti, Nilgiris District.
  5. K.S.Mahesh Kumar, Wife of K.P.Shanmugam, aged 41 years, residing at Jayanthi Nivas, Munnarad PO, Konnachal Via, Nilgiris Disrict, working as Postman, Coonoor RS, Nilgiris District.
  6. J. Belliraja, Son of B. Joghee, aged 55 years, residing at No.15/347, Kothorai Village, Sogathorai PO, Nilgiris District, working as Postman, Coonor RS, Nilgiris District.
  7. B. Lakshmanan, son of Batharai Joghee, aged 53 years, residing at 4/317, Kengarai Post, Kotada Via, Kotagiri 643236, Nilgiris District, working as MTS, Kotagiri SO, Nilgiris District
- ... Applicants**

( by Advocates M/s P. Rajendran)

vs.

1. The Union of India represented by the Director, General Posts, Dak Bhavan, New Delhi.
  2. The Chief Post Master General, Tamil Nadu Circle, Chennai 600 002.
  3. The Superintendent of Post Offices, Nilgiris Division, Udagamandalam 643 001.
- (By Mr.Su. Srinivasan, Advocate for the respondents)

**Respondents**

**Order: Pronounced by Hon'ble Mr.P. Madhavan Member (J)**

M.A. No.310/132/2019 (LT) is heard and allowed. Registry to number the O.A.

2. Shri Srinivasan learned Standing counsel for the respondents takes notice.
3. Learned counsel for the applicant is heard.
4. This O.A. has been filed for seeking the following reliefs:

"To call for the records relating to the impugned Order of the third respondent issued in Memo No. BII/CAT/345/15 dated at Udagamandalam 643001 the 28.2.2018 and quash the same and direct the respondents to refrain from applying the New Pension Scheme (New Defined Contribution Pension Scheme) to them but to apply the Old Pension Scheme (Defined Benefit Pension Scheme) and count the service rendered in the post of GDS for the purpose of computing the qualifying service for Pension and grant them all consequential benefits and Render Justice."

5. Learned counsel for the applicant submits that a similar matter is pending before the Hon'ble Supreme Court in SLP and the law will be finally decided by the Supreme Court.
6. Learned Counsel for the applicant submits that he is ready to wait till the finality of the question of law involved in this case. He has no objection in disposing of this OA subject to the outcome of the SLP pending before the Hon'ble Supreme Court . (in SLPs No. 16767/2016 and 18460/2015). Hence the O.A. is disposed of with the direction to consider the representation of the applicant in the light of the order of the Hon'ble Supreme Court if it goes in favour of the applicant.
7. O.A. is disposed of on the above terms. M.A. stands allowed.

**(Mr. T. Jacob)**  
**Member (A)**

**( P. Madhavan)**  
**Member (J)**

**sj\***