

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01233/2018

Dated Tuesday the 18th day of September Two Thousand Eighteen

PRESENT

**HON'BLE MRS. JASMINE AHMED, Member (J)
&
HON'BLE MR. T. JACOB, Member (A)**

G.Rudraiah,
PGT (Maths) (Rtd) (Emp Code 10236),
No. 9, 26th Street,
Astalakshmi Nagar,
Chennai 600116.Applicant

By Advocate M/s. R. Arumugam

Vs

1.Commissioner,
Kendriya Vidyalaya Sangathan,
Head Quarters, 18, Institutional Area,
Shahid Jeetsingh Marg,
New Delhi 110016.

2.Deputy Commissioner,
Hyderabad Region,
Picket, Secunderabad 500009.

3.Deputy Commissioner,
Kendriya Vidyalaya Sangathan,
Chennai Region,
IIT Campus, Chennai 600036.Respondents

ORAL ORDER**(Pronounced by Hon'ble Mrs. Jasmine Ahmed, Member(J))**

Heard learned counsel for the applicant. The applicant has filed this OA seeking the following reliefs :

"a. Call for the original file(s)/record(s) of the 1st respondent authority relating to passing of the impugned letter bearing No. F. No. 110125/273/2018/KVS/CPF to GPF/8035 dated 08.06.2018 and quash the same as illegal.

b. For a declaration that the applicant deemed to have come under the GPF (Pension Scheme) in terms of the policy under 2nd respondent authorities OM in F. No. 152-1/79-80/KVS/Budget/Part-II dated 01.09.1988 with effect from 01.02.1989 and consequently extend the benefits of GPF (Pension) scheme to the applicant.

c. Pass such further or and other order as may be required in facts and circumstances of the case. "

2. It is the contention of the learned counsel for the applicant that the claim of the applicant has been rejected by the respondents on 08.06.2018 for converting pension from CPF to GPF. In this regard, he has again given a representation dt. 29.07.2018 which has not been decided by the respondents.

Learned counsel for the applicant states that the issue in hand is completely covered by the judgment passed by the Hon'ble Madras High Court in WP 16467/2017 decided on 23.08.2018 and the applicant may be granted the same benefit in the light of the judgment passed by the Hon'ble High Court.

3. Taking into consideration that the applicant has already preferred a representation dt. 29.07.2018, we direct the applicant to submit a fresh representation to the respondents attaching a copy of the judgment of the Hon'ble High Court of Madras (supra) within a period of one week from today

and the respondents are directed to take a decision on receipt of his fresh representation along with certified copy of this order and pass a reasoned and speaking order within a period of two months thereafter.

4. OA is disposed of at the admission stage. It is made clear that nothing has been commented on the merits of the case.

(T.Jacob)
Member(A)

(Jasmine Ahmed)
Member(J)

18.09.2018

SKSI