

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

MA/310/00502/2018 in & OA/310/01090/2016

Dated Thursday the 6th day of September, Two Thousand Eighteen

PRESENT

**Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr.P.Madhavan, Member (J)**

R.Devaraju,
S/o Ramasamy,
No.1/24, IV Street,
Balambigai Nagar, Ramapuram,
Chennai 600 089.

.. Applicant

By Advocate Mr.C.K.Chandrasekhar

Vs.

1. The Union of India, rep by
its Secretary, Department of
Pensions & Pensioners Welfare,
Ministry of Personnel, Public Grievances
& Pensions, Lok Nayak Bhawan, Khan
Market, New Delhi 110 003.

2.The Director General,
ESI Corporation, Panchdeep Bhavan,
CIG Marg, New Delhi 110 002.

3.The Assistant Director (E.III),
ESI Corporation, Panchdeep Bhawan,
CIG Marg, New Delhi 110 002.

4.The Regional Director & Additional Commissioner
ESI Corporation, No.143, Sterling Road,
Chennai 600 034.

5.The Director General of Posts,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi 110 001.

6.The General Manager,
Postal Accounts & Finance, Department of Posts,
Tamil Nadu Postal Circle, Chennai 600 008.

.. Respondents

By Advocate Mr.C.Kulanthaivel (R1, R5 & R6)
Mr.C.V.Ramachandramurthy (R2-4)

ORDER

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

Heard. MA seeking restoration of the OA is allowed.

2. 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 No.A-40/12.Misc.2011-E.III dated 06.06.2016 issued by the third respondent refusing consent to the fifth respondent for the purpose of paying pension to the applicant's service in postal department as illegal, arbitrary and unconstitutional and

(ii)consequently direct the respondents 2 to 4 to refund the applicant's amounts to the 5th respondent and the 5th respondent in turn to pay pro-rata pension and DCRG with interest to the applicant in view of acceptance of his option with attendant monetary benefits from the date of his relief in 1998 due to the applicant and

(iii) pass such other orders or directions as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case, award costs and thus render justice.”

3. It is submitted that the applicant had made a representation seeking to be permitted a revised option for grant of pro rata pension for service rendered in the Department of Posts before his absorption in ESIC. However, his request was rejected by Annexure A-10 impugned order dated 06.06.2016 which is non-speaking and which merely states that the request had not been acceded to by the competent authority. Accordingly, the applicant will be satisfied if the competent authority is directed to pass a detailed and

speaking order within a time limit stipulated by this Tribunal.

4. Keeping in view the submission made and without going into the substantive merits of the case, we deem it appropriate to direct the competent authority to consider the issues raised by the applicant in his representations at Annexure A-3, A-5 & A-8 dated 28.08.2014, 25.01.2016 & 20.04.2016 respectively in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

5. The OA is disposed of accordingly.

(P.Madhavan)
Member (J)

06.09.2018

(R.Ramanujam)
Member(A)

M.T.