

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-104/2019

New Delhi, this the 10th day of January, 2019

Hon'ble Sh. A.K. Bishnoi, Member(A)

1. Ms. Pritam Kaur Ghai, 'B', age 64 years,
D/o Sh. Chet Singh,
Retired TGT (SSt.) from KVS
r/o 832, Urban Estate Phase 2, Near Mgn Public
School, Jalandhar.
2. Ms. Nirmal Sharma, 'B', age 68 years,
D/o Sh. Udham Chand Sharma,
Retired PRT from KVS,
r/o House No. 62, Hardyal Nagar, Garha Road,
Jalandhar-144022.
3. Ms. Anita Wahi, 'B', age 63 years,
D/o Sh. Manohar Lal Puri,
Retired TGT (Hindi) from KVS
r/o H.No. 20-A, Street No. 1, Friends Colony Wadala,
Jalandhar.
4. Ms. Prem Juneja, 'B', age 62 years,
D/o Sh. Rochi Ram,
Retired TGT (Hindi) from KVS
r/o 1674, Sector 22B, Chandigarh.
5. Ms. Vimal Joshi, 'B', age 65 years,
D/o Sh. Bhim Sen Sharma,
Retired TGT (English) from KVS,
r/o House No. 20, The Mall Road, Jalandhar Cantt.
Punjab. ... Applicants

(through Sh. Yogesh Sharma)

Versus

Kendriya Vidyalaya Sangathan,
Through the Commissioner,
18, Institutional Area, Shahzed Jeet Singh Marg,
New Delhi. ... Respondent

ORDER (ORAL)

Heard learned counsel for the applicants.

MA No. 93/2019 filed for joining together is allowed.

OA No. 104/2019

This OA is filed seeking the following reliefs:

“(a) That the Hon’ble Tribunal may further graciously be pleased to pass an order of quashing the impugned order dated 17.05.2018 (colly.) (Annex. A/1), declaring to the effect that the whole action of the respondents not accepting the request of the applicants for shifting them from CPF scheme to GPF pension scheme is illegal, arbitrary and discriminatory and consequently, pass directing the respondents to treat the applicants as governed by GPF cum pension scheme with all consequential benefits including granting the service pension from the date of retirement with arrears and interest.

(b) any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicant with the cost of litigation.”

2. Learned counsel for the applicants submitted that the applicants sent a legal notice dated 01.12.2018 to the respondents, but the same has not been responded so far. He also submits that the case of the applicants

is squarely covered by the judgment of the Ernakulam Bench of this Tribunal in OA No. 457/2011 dated 22.03.2012 - Johnson P. John v. The Assistant Commissioner, Kendriya Vidyalaya Sangathan and Ors.

3. Under the circumstances, without going into the merits of the case, the OA is disposed of at the admission stage itself with a direction to the respondents to decide the legal notice (Annexure A-1) of the applicants by passing a self contained and speaking order within ninety days from the date of receipt of a certified copy of this order. The judgment dated 22.03.2012 passed by Ernakulam Bench of this Tribunal in OA No. 457/2011 may be kept in mind if the instant OA is based on similar facts. No costs.

(A.K. Bishnoi)
Member (A)

/ns/