

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-103/2019

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

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

Tarkeshwar Tiwari, aged 61 years, 'A',
S/o Sh. Debi Dayal Tiwari,
Retired as Vice-Principal from KVS
R/o 6, MIG, Preetam Nagar (Dhoomanganj),
Allahabad (UP). ... Applicant

(through Sh. Yogesh Sharma)

Versus

1. Union of India,
Through the Secretary,
Ministry of Human Resources Development (HRD),
Govt. of India, New Delhi.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area, Saheed Jeet Singh Marg,
New Delhi. ... Respondents

ORDER (ORAL)

Heard learned counsel for the applicant.

2. This OA is filed seeking the following reliefs:

“(a)That the Hon’ble Tribunal may further graciously be pleased to pass an order declaring to the effect that the whole action of the respondents applying the CPF Scheme on the applicant on his fresh appointment as PGT on 19.3.1987 is void-ab-initio as in the year 1987 CPF Scheme was not in operation for fresh appointment and consequently, pass an order directing the respondents to treat the applicant as governed by GPF cum pension scheme

with all consequential benefits including the arrears of pension from the date of retirement with interests.

(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."

3. Learned counsel for the applicant submitted that the applicant made a number of representations to the respondents with the latest one being made on 30.10.2018. But the applicant has received no response so far. He also submits that the case of the applicant is similar to the judgment dated 19.09.2016 of this Tribunal passed in OA No. 3112/2013 titled Hoshiar Singh vs. Union of India & Ors.

4. 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 representations Annexure A-1 (colly.) of the applicant 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 19.09.2016 passed by this Tribunal in OA No. 3112/2013, may be kept in mind if the instant OA is based on similar facts. No costs.

(A.K. Bishnoi)
Member (A)

/ns/