

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**O.A.No.310/00387/2019**

**Dated Friday, the 22<sup>nd</sup> day of March, 2019**

**PRESENT**

**Hon'ble Mr.R.Ramanujam, Administrative Member**

**&**

**Hon'ble Mr.P.Madhavan, Judicial Member**

S.Ragunathan,

S/o.T.Srinivasan,

No.1455, West Rampart,

West Main Street,

Thanjavur 613 009.

**...Applicant**

By Advocate M/s R.Malaichamy

**Vs.**

1.Union of India,  
Rep., by the Secretary,  
Ministry of Communications & IT,  
Department of Posts, Dak Bhavan,  
Sansad Marg, New Delhi 110 001.

2.The Chief Postmaster General,  
Tamil Nadu Circle, Anna Salai,  
Chennai 600 002.

3.The Postmaster General,  
Central Region (TN),  
Trichy 620 001.

4.The Superintendent of Post Offices,  
Pattukkottai Division,  
Pattukkottai 614 601.

**...Respondents**

By Advocate Mr.M.Kishore Kumar

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

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“(i)To direct the respondents to count the period of year of vacancy against which he was appointed as Postman and also to count the entire service rendered in GDS cadre along with regular service and thereby to treat his service under old pension scheme and to open GPF Account after closing CPF Account; also to,

(ii)Direct the respondents to refund the amount to the applicant which were recovered from the applicant's pay and allowances towards new pension scheme; and,

(iii)To pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

2. Learned counsel for the applicant submits that the applicant had made Annexure A-4 representation dated 25.06.2018 regarding his grievance which is still pending before the competent authority. In similar matters, however, the respondents have rejected the plea of the applicants therein and this Tribunal was pleased to direct the respondents to review their stand in the event of the law being finally settled in favour of persons who had been appointed to vacancies that arose prior to 01.01.2004 as also for counting the services rendered as GDS for the purpose of pension under the CCS Pension Rules, 1972. The applicant would accordingly be satisfied, if similar orders are passed in this case.

3. Mr.M.Kishore Kumar takes notice for the respondents and submits that in as much as Annexure A-4 representation of the applicant is still

pending, a direction could be issued to the respondents to consider the same in accordance with law and pass appropriate orders.

4. Keeping in view the above submission and the fact that similar cases have been disposed of after issue of orders rejecting the claim of the applicants therein, we are of the view that this OA could be disposed of with the following direction:

“The competent authority shall consider Annexure A-4 representation of the applicant dated 29.06.2018 in the event of the law being finally settled in favour of persons similarly placed as the applicant with respect to the year of vacancy or counting the services rendered as GDS for the purpose of pension under the CCS (Pension) Rules, 1972 and pass a fresh order within a period of three months thereafter.”

6. The OA is disposed of as above.

**(P.MADHAVAN)**  
**MEMBER(J)**

**22.03.2019**

**(R.RAMANUJAM)**  
**MEMBER (A)**

M.T.