

**Central Administrative Tribunal  
Madras Bench**

**OA/310/00598/2018**

**Dated Monday the 4<sup>th</sup> day of June Two Thousand Eighteen**

**P R E S E N T**

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

A. Selvaraj  
No. 2/49, Sannathi Street  
Kurangani – 628 623. .. Applicant

By Advocate **M/s. S. Arun**

**Vs.**

1. Union of India, rep. by  
Chief Postmaster General  
Office of the Chief Postmaster General  
Chennai – 600 002.
2. The Senior Superintendent of Post Offices  
Tuticorin Division  
Tuticorin – 628008. .. Respondents

By Advocate **Mr. K. Rajendran**

**ORAL ORDER**

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

Heard both sides. The applicant has filed this OA seeking the following relief:-

“To set aside Memo No. B2/Misc/Dlgs dated 30.01.2017 passed by the 2<sup>nd</sup> respondent and consequently direct the respondents to induct applicant under Old Pension Scheme in terms of CCS (Pension) Rules, 1972 after considering his Gramin Dak Sevak Service at the rate of 5/8 for the period spent in Gramin Dak Sevak Post till his retirement for the purpose of pension calculation”

2. It is submitted that the applicant made Annexure A2 representation dated 27.01.2017 seeking the benefit of the Principal Bench's order in OA Nos. 749/2015, 3540/2015 and 613/2015 directing that GDS would also get pension under CCS(Pension) Rules 1972. However his representation was disposed of by Annexure A3 communication dated 30.01.2017 stating that as per Rule 6 of GDS (Conduct and Engagement) rules 2011, no sevak shall be entitled to pension. The point raised by him in his representation had not been answered. Hence the applicant is before the Tribunal.

3. Mr. K. Rajendran takes notice for the respondents and submits that the order of the Principal Bench in the aforesaid cases had been challenged in the Hon'ble Delhi High Court and the matter is still pending. As such, the order of the Principal Bench has not attained finality and, therefore the applicant's representation was disposed of as per rules.

4. Learned counsel for the applicant, however, submits that in a similar case, the Tribunal disposed of the OA with a direction to the respondents to review their decision in the event of Hon'ble Delhi High Court upholding the order of the Principal Bench and urges that a similar order be passed in this OA.

5. Keeping in view the aforesaid submission and without going into the substantive merits of the case, I deem it appropriate to direct the respondents to review their decision conveyed by Annexure A3 letter dated 30.01.2017 in the event of the Hon'ble Delhi High Court upholding the order of the Principal Bench in the aforesaid cases.

6. OA is disposed of at the admission stage as above.

(R.Ramanujam)  
Member(A)  
04.06.2018

AS