

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No. 310/00619/2019

Dated Wednesday, the 1st day of May, 2019

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

A. Ayyavoo
No. 7/10A, Pachaippan Colony
1st Cross Street
Jamin Pallavaram
Chennai – 600 043.

...Applicant

By Advocate M/s R. Malaichamy

1. Union of India
Rep. by the Secretary
Ministry of Communications & I.T.,
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
Chennai City Region (TN)
Chennai – 600 002.

4. The Senior Superintendent of Post Offices
Tambaram Division
Tambaram – 600 045.

...Respondents

By Advocate Mr. Su. Srinivasan

ORAL ORDER

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

Heard. The applicant has filed this OA seeking the following reliefs:

"1. To call for the records of the 4th respondent pertaining to his orders which is made in (1) B2/3-9/2017 dated 21.08.2018 and (2) B2/3-9/2017 dated 22.02.2019 and set aside the same, consequent to

2. direct the respondents to induct the applicant into statutory pension scheme under CCS(Pension) Rules, 1972 notionally treating the applicant as he has been appointed as Postman from the date of occurrence of vacancy, also by counting the officiating period and further to counting the entire GDS service, along with regular service for the limited purpose of grant of pension under CCS(Pension) Rules 1972; further,

3. direct the respondents to treat the service of the applicant under old pension scheme and thereby to open GPF Account instead of CPF Account, and;

4. To pass such further or other orders"

2. It is submitted that the applicant's plea for counting services rendered as GDS for pension, relying on the order passed by the Principal Bench in OA 749/2015 dated 17.11.2016 had been turned down by Annexure A6 communication dated 22.02.2019 stating that WPs against the order of the Principal Bench had been filed in the Hon'ble Delhi High Court which were still pending.

3. Learned counsel for the applicant would urge that the respondents be directed to review their stand in the event of the law being settled finally in favour of persons similarly placed as the applicant for counting

the services rendered as GDS for the purpose of pension under the CCS (Pension) Rules 1972, as directed in similar cases.

4. Mr. Su. Srinivasan takes notice for the respondents and submits that as similar cases had been disposed of with such direction, the respondents would have no objection to the aforesaid limited relief being granted.

5. Keeping in view the above, the OA is disposed of with the following direction:

"The respondents shall reconsider the claim of the applicant for pension under CCS (Pension) Rules 1972 in the event of the law being finally settled in favour of persons similarly placed as the applicant herein with regard to their claim for counting the period of service rendered as GDS for pension under the CCS(Pension) Rules, 1972."

(R.RAMANUJAM)
Member (A)
01.05.2019

AS