

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01115/2018

Dated Tuesday the 21st day of August Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

S.Mookiah,
No. 4/229, South Street,
Kandukondan Manickam,
Kavelampadu,
Anandapuram 628701.Applicant

By Advocate M/s. S. Arun

Vs

1.Union of India rep by,
Chief Postmaster General,
Office of the Chief Postmaster General,
Chennai 600002.

2.The Senior Superintendent of Post Offices,
Tuticorin Division,
Tuticorin 628008.Respondents

By Advocate Mr. Su. Srinivasan

ORAL 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 relief :

"To set aside Memo No. B2/Misc/Dlgs dated 03.04.2017 passed by the 2nd 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 for the purpose of pension calculation and pass such other orders as are necessary to meet the ends of justice."

2. It is submitted that the applicant is entitled to pension in terms of the order of the Principal Bench of this Tribunal in OAs 749/2015 and batch and therefore, Annexure A3 impugned order dt. 03.04.2017 rejecting his request is liable to be set aside and the respondents directed to grant him pension under the CCS (Pension) Rules, 1972.

3. Mr. Su. Srinivasan, Standing counsel takes notice for the respondents and submits that the order of the Principal Bench in the said cases had been challenged in a Writ Petition before the Hon'ble Delhi High Court and the matter is pending. The respondents would take action as per the directions of the Hon'ble High Court as and when the Hon'ble High Court disposes of the matter in terms of its directions.

4. Keeping in view of the aforesaid submission, this OA is disposed of with a direction to the respondents to review Annexure A3 impugned order dt. 03.04.2017 in respect of the applicant, if the

Hon'ble Delhi High Court upholds the decision of the Principal Bench in the aforesaid cases. The respondents shall not thereafter reject the case of the applicant only on the ground of the applicant not being a party before the Hon'ble Delhi High Court.

5. OA is disposed of with the above direction at the admission stage.

**(R. Ramanujam)
Member(A)
21.08.2018**

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