

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A.NO.90/2004 in
O.A.NO.1153/2003

New Delhi, this the 11th day of May, 2004

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE SHRI S.A.SINGH, MEMBER (A)

Mahender Singh Choudhary
working as Director of Physical Education
College of Art
20-22, Tilak Marg
New Delhi.

... Applicant

Versus

1. Chief Secretary
G.N.C.T. of Delhi
Delhi Sectt., I.P.Estate
New Delhi.
2. Pr. Secretary
G.N.C.T. of Delhi
Directorate of Training and
Technical Education
Muni Maya Ram Marg
Pitampura
Delhi - 110 088.
3. The Principal
College of Art
20-22, Tilak Marg
New Delhi.

... Respondents

O R D E R (By Circulation)

Justice V.S. Aggarwal:-

Applicant Mahender Singh Chaudhary had filed O.A.1153/2003. He was earlier working as Physical Training Instructor in Dayanand Vidyalaya, Ajmer. He joined the respondents on 14.6.76. He prayed for a direction to count his past service in Dayanand Vidyalaya, Ajmer for purposes of pensionary benefits.

2. This Tribunal had dismissed the application holding that the case of similarly situated person Shri O.P. Sharma will not help the applicant. It was

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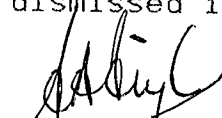
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further_ held that the past service for pensionary benefits would only be counted if it is rendered in autonomous body under the State Government and that it was a non-pensionable service before he joined the respondents.

3. Applicant seeks review of the order contending that this Tribunal erred in holding that he was not entitled to count his past service. Sub-rule 3 to Rule 14 of CCS (Pension) Rules has been ignored. The applicant has come to be aware of other orders where such a benefit has been accorded. He has been discriminated and that it was only a technical resignation before joining as PTI in the College of Arts.

4. We have considered the said submissions. We find that there is no error apparent on the face of the record. Sub-rule 3 to Rule 14 of CCS (Pension) Rules will not come to the rescue of the applicant. The other submissions referred to hardly permit us to conclude that there is any error apparent on the face of the record.

5. Resultantly, the petition must fail and is dismissed in circulation.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

/dkm/