

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1412/2019

Dated Friday, the 25th day of October, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

S.Subramanian,
No. 1498, Indran Nagar,
Kallal, Sivaganga Dist, Pin-630305. ...Applicant

By Advocate Mr. R. Malaichamy

Vs

1.Union of India,
rep by the Secretary,
Ministry of Communications & IT,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi 110001.

2.The Chief Postmaster General,
Tamil Nadu Circle,
Anna Salai,
Chennai 600002.

3.The Postmaster General,
Southern Region (TN),
Madurai 625002.

4.The Superintendent of Post Offices,
Sivaganga Division,
Sivaganga 630561. ...Respondents

By Advocate Mr. Su. Srinivasan

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

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

"1. To call for the records of the 4th respondent pertaining to his order which is made in No. C2/2/Pension/dlgs dated 26.09.2019 and set aside the same, consequent to,

2. Direct the respondents to count the period of year of vacancy 2003 & 2004 against which he was appointed as Postman and/or to count the entire service rendered in GDS cadre along with regular service and thereby to treat his service under old pension scheme and grant pension to him and also,

3. Direct the respondents to refund the amount recovered from the applicant's pay and allowances towards new pension scheme to him and

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

2. When the matter came up for hearing, learned counsel for the applicant submits that similar matter was already decided by this Tribunal in OA 1105/2019 and submits that he will be satisfied if a similar order is passed in this matter also.

3. Mr. Su Srinivasan takes notice for the respondents and he has no objections in passing similar order.

4. In view of the submissions made by either side, we deem it appropriate to dispose of this OA with the following direction:

"The competent authority shall consider the representation of the applicant dated 21.09.2019 in the event of the Hon'ble Apex Court upholding the order of this Tribunal to the effect that persons appointed against pre-2004 vacancies should be considered eligible for pension under the CCS Pension Rules, 1972 and pass a reasoned and speaking order, within a period of two months thereafter. Similar action shall be taken in the event of SLPs in respect of counting of GDS service for the purpose of pension being decided in favour of the persons similarly placed as the applicants."

**(T.JACOB)
MEMBER (A)**

AS

25.10.2019

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