

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION NO.42371 OF 2018

ORDER: (per SK,J)

The General Manager, Security Printing Press, Mint Compound, Hyderabad, the second respondent in O.A.No.478 of 2013 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, filed this writ petition aggrieved by the order dated 06.09.2018 passed therein.

Sri M.Surender Rao, learned senior counsel appearing for Sri Srinivasa Rao Madiraju, learned counsel on caveat for the first respondent, the applicant in the O.A., would however submit that the petitioner can have no grievance with regard to the order passed in the O.A. as the same is directed only against the first respondent in the O.A. who is the Joint Secretary, Department of Economic Affairs, Ministry of Finance, Government of India, New Delhi.

The admitted facts are that the first respondent-applicant was appointed as a Head Checker in the year 1983 and grew in rank to the post of Inspector (Control) by 2001. This was at a time when the Security Printing Press was under the control of the Government of India. It was however made into an independent corporation on 13.01.2006. In terms of the agreement settled at that point of time, employees recruited before 01.01.2004 were eligible for pension as per Rule 37-A of the Central Civil Services (Pension) Rules, 1972. Employees who opted to remain in the service of the newly formed corporation, viz., Security Printing & Minting Corporation of India Limited (SPMCIL), were to be treated as having retired from the service of the Government of India and were eligible for pension as stated supra. The first respondent-applicant was one such

employee who was absorbed permanently in the service of the SPMCIL with effect from 01.11.2008. He filed the subject O.A. in the year 2013 in relation to the pensionary benefits due to him from 01.11.2008 onwards. This prayer obviously pertained to the service rendered by him prior to absorption in the service of the SPMCIL as it is an admitted fact that he retired from the service of the Corporation only on 31.05.2015 well after institution of the subject O.A.

In that view of the matter, we are in agreement with the submission of the learned senior counsel that the SPMCIL can have no grievance with regard to the relief granted by the Tribunal *vide* the order under challenge.

Sri G.Chandrashekar Rao, learned counsel for the petitioner, would however inform this Court that alleging disobedience to the order under challenge, a contempt notice has been issued to the General Manager, SPMCIL.

Sri M.Surender Rao, learned senior counsel, would inform this Court that his client is only interested in pursuing the matter with the Government of India with regard to the payment of the pension for the service rendered by him during the period the Security Printing Press was under the control of the Government of India and that no relief would be sought against the SPMCIL or its officials in relation to that period.

Accepting this statement, we close the writ petition making it clear that neither SPMCIL nor any of its officials shall be held responsible in relation to the grievance of the first respondent-applicant in O.A.No.478 of 2013 which was in the context of the service rendered by him at the time when the Security Printing Press was under the control of the Government

of India and his claim in relation to the pension and pensionary benefits due for the said period.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:23.11.2018

GJ

