

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00014/2020
Chandigarh, this the 10th day of January, 2020

...
CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. MOHD JAMSHED, MEMBER (A)

....

Chander Kesh Raina son of Sh. Phool Sahai Raina, aged 61 years, resident of H. No. 1355, Sector 41-B, Chandigarh (Group B)

....Applicant

(Present: Mr. Dharambir Bhargav, Advocate)

Versus

1. Comptroller & Auditor General of India, Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi – 110124.
2. The Principal Accountant General (Audit Punjab), Sector 17, Plot No. 21-22, Chandigarh – 160017.
3. Comptroller & Auditor General of India through its Incharge, Bahadur Shah Zafar Marg, New Delhi – 110002.

..... Respondents

(Present: Mr. Barjesh Mittal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. By way of the present O.A., the applicant, who retired on 30.06.2018, has sought issuance of a direction to the respondents to consider his representation dated 03.12.2018 (Annexure A-1) for grant of notional benefit of one increment for the year 2018 which became due to him on 01.07.2018.
2. Heard.



3. Learned counsel argued that the case of applicant is squarely covered by a judgment in the case of **P. Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and Others** decided on 15.09.2017, rendered by the Hon'ble Madras High Court, as upheld by the Hon'ble Supreme Court while dismissing the SLP filed by the State. He submitted that the applicant moved a representation dated 03.12.2018 (Annexure A-1), but the same stands unanswered till date. Learned counsel made a statement at the bar that the applicant would be satisfied if a direction is issued to the respondents to consider his representation in the light of law settled in the case of P. Ayyamperumal (supra)

4. Issue notice.

5. Mr. Barjesh Mittal, Advocate, accepts notice. He does not object to the prayer made by the learned counsel for the applicant.

6. In the wake of the above, the O.A. is disposed of, in limine, with a direction to the respondents to consider and decide the indicated representation (Annexure A-1) of the applicant in the light of judgment delivered in the case of P. Ayyamperumal (supra). If the applicant is found to be similarly situated like the applicant in the case of P. Ayyamperumal (supra), the relevant benefit be granted to him,



otherwise a reasoned speaking order be passed within a period of two months from the date of receipt of a copy of this order.

7. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(MOHD JAMSHED)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 10.01.2020
PLACE: CHANDIGARH

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