

OA/310/01009/2015

Dated Thursday the 18th day of February Two Thousand Sixteen

P R E S E N T

Hon'ble Mr.R.Ramanujam, Member(A)

M.P.Hemantha Kumar
S/o late M.K.Parthasarathy,
Block No.25, Door No.2097,
Jeevan Bhima Nagar,
Anna Nagar West Extension,
Chennai 600 101.

.. Applicant

By Advocate M/s.G.Jeremiah

Vs.

1. The Union of India, rep by
The Comptroller & Auditor General of India,
No.9, Deen Dayal, Uphadhyaya Marg,
New Delhi 110 124.
2. The Director General of Audit,
Post & Telecommunications,
Civil Lines, ShamNath Marg,
Near Old Secretariat,
Delhi.
3. The Deputy Director,
Post & Telecommunications Audit Office,
No.1, Jeenu Road, Panagal Buildings,
Saidapet, Chennai 600 015.
4. The Secretary
Department of Personnel & Training,
M/o Personnel, Public Grievances & Pension,
North Block, New Delhi 110 001. .. Respondents

By Advocate **Mr.V.Vijay Shankar (R1&2)**

ORDER
(Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

The applicant submits that he joined the Post and Telecommunications Audit Office as Section Officer in the group-B Non-Gazetted post in July 1994. By order dated 01.1.2008, he was promoted as Assistant Audit Officer(AAO) w.e.f. 01.01.2008 in the scale of Rs.7450-225-11,500. On promotion he received an increment of 3% of his pay. All of a sudden and without any prior notice or order being communicated to him, the 3% additional increment was withdrawn in the month of October 2009 and recovery was ordered.

2. The contention of the applicant is that similarly placed employees filed OA 489/2011 before the Bangalore Bench of this Tribunal which by its order dated 10.10.2012 directed to restore the benefit of 3% pay accrued to the employees upon their promotion as AAO after 01.1.2006. Pursuant to the said order, the respondents by Circular dated 8.7.2014 extended the benefit to the applicants therein. Therefore, the applicant made a representation to the 1st respondent on 09.10.2014 seeking pay parity with the applicants in the above said OA which was forwarded to the 3rd respondent for necessary action. Since no action was taken, he has filed this OA seeking a direction to the 1st respondent to consider the representation of the applicant dated 9.10.2014 in the light of the order passed in OA 489/2011.

3. Today when the matter is taken up for hearing, learned counsel for the applicant points out that the relief sought is only for a consideration of the applicant's representation dated 09.10.2014 by the respondents. The applicant would be satisfied if this relief is granted.

4. The respondents have not filed their reply. However, learned counsel for the respondents submits that the respondents would consider the applicant's representation if such a direction is given by the Tribunal.

5. In the facts and circumstances of the case, I am of the view that the ends of justice would be met if the 1st respondent is directed to consider the representation of the applicant. Accordingly, the 1st respondent is directed to consider the representation of the applicant dated 09.10.2014 and pass a reasoned and speaking order within a period of six weeks from the date of receipt of a copy of this order. The respondents shall also grant personal hearing of the applicant before finally deciding the case.

6. The OA is disposed of as above. No order as to costs.