

(Open Court)

Central Administrative Tribunal, Allahabad Bench, Allahabad

O.A. No.330/00171/2021

Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)

This the 15th day of February, 2021.

Ajmal Husain, aged about 61 years, son of late Junaid Ahmad, resident of 275, EWS,KDA Colony, Jatmau, Kanpur, retired,VRS as Office Superintendent Electrical/TDS & ALD/Division, Kanpur.

Applicant

By Advocate: Sri Jaswant Singh

Versus

1. Union of India through General Manager, North Central Railway, Allahabad.
2. Divisional Railway Manager, North Central Railway, Allahabad.
3. Chief Electrical Engineer (Construction), North Central Railway, Subedarganj, Allahabad.
4. Deputy Chief Electrical Engineer (Construction), North Central Railway, Kanpur.
5. Senior Divisional Personal officer, North Central Railway, Kanpur.

Respondents

By Advocate: Sri Shesh Mani Mishra

ORDER

By Hon'ble Mrs. Justice Vijay Lakshmi, Member (J)

Heard Learned counsel for the applicant, learned counsel for respondents on admission and perused the record.

2. The matter pertains to grant of notional increment to the applicant, who has retired on 30th June.

3. Learned counsel for applicant submitted that this is a covered matter. There are several judgments of Hon'ble Supreme Court, various Hon'ble High Courts and also of different Tribunals on the same issue, all of which, have been allowed in favour of the

applicants and applicants have been found entitled for one increment, even after their retirement on 30th June.

4. In support of his contention, learned counsel for applicant has placed reliance on a recent judgment passed by Central Administrative Tribunal, Ahmedabad Bench in O .A. No. 145/2019 dated 1st June, 2020 (Laxman Kalabhai Chavda Vs. Union of India and others) and a judgment passed by Hon'ble Gujarat High Court in R/Special Civil Application No. 10751 of 2020 dated 27.1.2021 (Union of India Vs. Laxmanbhai Kalabhai Chavda).

5. However, it has been prayed by the learned counsel for applicant that applicant will be satisfied at this stage, if the respondent concerned, who is competent authority, is directed to decide his representation dated 20.6.2019 (Annexure A-11 to the O.A.) and reminder representation dated 29.1.2021, which are pending since long, in accordance with law, in a time bound manner.

6. Learned counsel for respondents has no objection against this limited and innocuous prayer made by the learned counsel for applicant.

7. In view of the limited prayer made by the learned counsel for applicant, no fruitful purpose will be served in keeping this O.A. pending and it is disposed of finally at the admission stage, with the direction to the competent authority amongst the respondents, to decide the representation dated, 20.6.2019 (Annexure A-11 to the O.A.) and reminder representation dated 29.1.2021, by passing a reasoned and speaking order, in accordance with law, and in the wake of law as laid down in various judgments of Hon'ble Courts, within a period of three months, from the date of receipt of a certified copy of this order.

8. The decision so taken shall be communicated to the applicant without any delay.
9. No order as to costs.

(Justice Vijay Lakshmi)
Member (J)

HLS/-