

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

**ORIGINAL APPLICATION NO.170/00190/2020**

**DATED THIS THE 10<sup>TH</sup> DAY OF NOVEMBER, 2020**

**CORAM:**

**HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)**

**HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)**

B. Chalapathi Rao  
S/o Ramakrishnaiah Barivenukala  
Aged 66 years  
Retired Senior Divisional Personnel Officer,  
S.W. Railway, Hubballi  
R/o C/o Sri Raju G.F  
#118, Vastu Green Apartments  
Off Kengeri Uttarahalli Main Road,  
Kengeri, Bengaluru 560 060

....Applicant

(By Advocate Shri K. Shivakumar)

Vs.

1. Union of India,  
Represented by General Manager  
South Western Railway,  
Rail Soudha, Gadag Road,  
Hubballi 580 020

2. Principal Chief Personnel Officer,  
South Western Railway,  
Hubballi 580 020

.....Respondents

(By Shri J. Bhaskar Reddy, Railway Standing Counsel)

**O R D E R (ORAL)****PER: SURESH KUMAR MONGA, MEMBER (J)**

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

- (i) Direct the respondents to grant one increment on notional basis on 30<sup>th</sup> June 2014 to the applicant and revise the pension and other settlement benefits paid already and.
- (ii) Grant any other relief or reliefs as deemed fit and proper in the interest of justice and equity”

2. At the very outset, Shri K. Shivakumar, learned counsel representing the applicant, submitted that the matter is squarely covered by an order dated 18.12.2019 passed by this Tribunal in Original Application No. 170/00677/2019. Learned counsel further submitted that the said order passed by this Tribunal has already been affirmed by the Hon’ble High Court of Karnataka at Dharwad vide its order dated 22.10.2020 passed in Writ Petition No. 146967/2020 (S-CAT).

3. The fact as stated by Shri K. Shivakumar has not been disputed by Shri J. Bhaskar Reddy, learned counsel representing the respondents.

4. Accordingly, the OA is allowed and the respondents are directed to issue necessary orders with regard to grant of one increment on notional basis on 30.06.2014 with all consequential benefits.

5. Let this exercise be undertaken within a period of two months from the date of receipt of a certified copy of this order.
6. Ordered accordingly.
7. There shall be no orders so as to costs.

**(RAKESH KUMAR GUPTA)**  
**MEMBER (A)**

**(SURESH KUMAR MONGA)**  
**MEMBER (J)**

/ksk/

**Annexures referred to by the applicant in OA No. 170/00190/2020**

Annexure A1      Copy of the representation dated 30.04.2018

**Annexures referred in reply statement**

Annexure R1      Copy of the Railway Service (Revised Pay) Rules, 2008  
Annexure R2      Copy of the Rule 49 of Railway Service (Pension) Rules, 1993  
Annexure R3      Copy of the extract of Rule 1303 (i)  
Annexure R4      Copy of the extract of Rule 50 of Pension Rules, 1993  
Annexure R5      Copy of the letter dated 21.05.2020  
Annexure R6      Copy of the letter dated 18.10.2019

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