

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00139/2021

HYDERABAD, this the 23rd day of February, 2021

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member



M. Naga Muneiah S/o M. Kondaiah,
Aged about 56 years, Driver Grade – I, Group-C,
Telecom Service with HRMS No.198905669,
Under the control of Principal G.M.T.D.,
Cuddapah now Resident of Balajapally
Village, Mamillapalli C.K.Dinne Mandal,
Cuddapah.

...Applicant

(By Advocate : Mr. K. Venkateswara Rao)

Vs.

1. The General Manager, Telecom District,
BSNL, Cuddapah.
- 2.The Chief General Manager, Telecom,
A.P. Circle, Vijayawada.
- 3.The Chairman & Managing Director, BSNL,
Corporate Office, Bharat Sanchar Nigam,
4th Floor, Janpath, New Delhi – 110 001.
- 4.Union of India, represented by the Secretary,
Department of Telecommunication and I.T.
20, Ashok Road, New Delhi.
- 5.The Chief Controller of Communications
Accounts, Telecom, A.P. Circle, Vijayawada.
- 6.The Chief General Manager, BSNL, Tamilnadu
Circle, Chennai.

....Respondents

(By Advocate : Mrs. K. Rajitha, Sr. CGSC &
Mr. K. Ajay Kumar, SC for BSNL)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:



2. The OA is filed seeking a direction to grant the applicant notional increment which fell due on a date subsequent to his date of retirement.

3. Brief facts of the case are that the applicant retired on 31.01.2020 pursuant to VR Scheme of 2019. As the applicant retired the day before the due date of increment, he has not been sanctioned the increment citing the reason that he was not in service on the date of the increment i.e. 01.02.2020. Applicant represented seeking the said benefit on 20.05.2020, but there has been no response. Hence, the OA is filed.

4. The contentions of the applicant are that the Hon'ble High Court of Madras in W.P.No. 15732 of 2017 has granted the relief sought, which has attained finality and as the applicant is similarly placed, he need to be granted the relief sought. He also cited orders of this Tribunal.

5. Heard both the counsel and perused the pleadings on record.

6. A similar issue fell for consideration by this Tribunal in OA No.538/2020, which was disposed of on 26.08.2020 with a direction to the respondents therein to grant the benefit. Similar OAs were also disposed of by this Tribunal on the same lines. On being challenged in the Hon'ble

High Court of Telangana in WP No.20907/2020 & Batch, orders of the Tribunal have been suspended by the Hon'ble High Court on 03.12.2020. In view of the above development, the respondents are directed to consider grant of relief sought by the applicant depending on the judgment of the Hon'ble High Court on the issue, as and when it is delivered.



With the above direction, the OA is disposed of at the admission stage, with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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