

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/00159/2021

HYDERABAD, this the 24th day of February, 2021

Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member



1.B.Mohan Reddy S/o B.Ram Reddy, aged about 57 Years, Retired Junior Engineer from GMTD, Karimnagar With HRMS No.198604561 and now resident of H.No.9-4-28/3, Srinagar Colony, Karimnagar, Telangana.

2.B. Eswaraiah S/o B. Venkataiah, aged about 56 Years, Retired Telecom Technician, Karimnagar with HRMS No.198702606 and Now Resident of H.No.17-1-69/4, Rajeev Nagar, Godavarikhani, Peddapalli District, Telangana.

3.G.Raja Mallaiah S/o G.Lingaiah, aged about 54 Years, Retired Junior Engineer with HRMS No.199506129 under GMTD, Karimnagar and Now resident of H.No.7-16, Dharmaapuri District, Jagityal, Telangana.

4.S.Narayana S/o S.Basavaiah, aged about 56 Years, Retired Junior Engineer, under GMTD Karimnagar and now resident of H.No.9-5-241, Telephone Quarters, Sapthagiri Colony, Karimnagar-505001, Telangana.

5.M.Mogilaiah S/o Vittalaiah, aged about 57 years, Retired Telecom Technician with HRMS No.198702883 under GMTD, Karimnagar and now resident of H.No.8-3-206/2/1, NGOS Colony, Bhagatnagar, Karimnagar, Telangana.

...Applicants

(By Advocate : Mr.K.Venkateswara Rao)

Vs.

1.The General Manager, Telecom District, BSNL, Karimnagar.

2. The Chief General Manager, Telangana, Telecom Circle, Hyderabad.

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, Telangana Circle, Hyderabad.

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 applicants notional increment which fell due on a date subsequent to their dates of retirement.

3. Brief facts of the case are that the applicants retired on 31.01.2020 pursuant to VR Scheme of 2019. As the applicants retired the day before the due date of increment, they have not been sanctioned the increment citing the reason that they were not in service on the date of the increment i.e. 01.02.2020. Applicants represented seeking the said benefit on 03.06.2020, but there has been no response. Hence, the OA is filed.

4. The contentions of the applicants 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 applicants are similarly placed, they need to be granted the relief sought. They 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 applicants 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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