

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/166/2021

HYDERABAD, this the 25th day of February, 2021

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



1. Adireddy Mutyalu Naidu, S/o Mahalakshmi Naidu,
Aged about 66 Years, Occp: Retired Construction Supervisor,
PPO No. C/MISC/16703/2014, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.58-10-98/1, Old Karasa,
Visakhapatnam-5300091.
2. Gopavarapu Udaya Bhaskara Rao, S/o Vnkata Nagewara Rao,
Aged about 64 Years, Occp: Retired Construction Asst. C,
PPO No. C/MISC/10727/2016, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.29-6-20, Kannayya Sannidhi,
Lalitha Colony, Dabagardens, Visakhapatnam-530020.
3. Narayanasetty Krishna Rao, S/o Tathayya,
Aged about 61 Years, Occp: Retired Construction Supervisor,
PPO No. 409201900534, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.58-10-35, New Karasa,
Visakhapatnam-530009.
4. Chennupati Subba Rao, S/o Krishnaiah,
Aged about 64 Years, Occp: Retired Construction Asst. C,
PPO No. C/MISC/10850/2016, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.21-24/2, Viman Nagar, NAD,
Visakhapatnam-530009.
5. Putta Visweswara Satya Rao, S/o Sambamurthy,
Aged about 61 Years, Occp: Retired CS,
PPO No. 409201900560, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.58-11-14, SF-1, Seerapu Nilayam,
Old Karasa, Visakhapatnam-530009.
6. Mandala Murali Krishna, S/o Venkatarao (Late),
Aged about 62 Years, Occp: Retired UDC,
PPO No. 409201800118, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.14-1-15/27, Nowroji Road,
Maharanipeta, Visakhapatnam-530002.
7. Kambala Krishna Murthy, S/o Somaraju (Late),
Aged about 60 Years, Occp: Retired CS,
PPO No. 409202000600, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.P-59/11, Ashoka Park,

Kancharapalem, Visakhapatnam-530008.

8. Gorle Arnayudu, S/o Appalaswamy (Late),
Aged about 62 Years, Occp: Retired Construction Supervisor,
PPO No. 409201800103, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.58-11-131/11, Golden Enclave,
Old Karasa, Visakhapatnam-530009.



9. Cheepurupalli Appa Rao, S/o Appalanaidu,
Aged about 63 Years, Occp: Retired Construction Supervisor,
PPO No. C/MISC/11124/2017, Ship Building Centre (SBC),
Visakhapatnam, R/o D.No.7-78, BC Colony, Paravada,
Visakhapatnam-531021.

...Applicants

(By Advocate : Sri KRKV. Prasad)

Vs.

1. Union of India represented by
The Secretary, Ministry of Defence,
Government of India,
South Block, New Delhi-110011.
2. The Director General, Head Quarters,
Advanced Technology Vessels Programme,
Akanksha Development Enclave,
Rao Tula Ram Marg, New Delhi-110010.
3. The Project Director,
Ship Building Centre, Vanuna Block,
Naval Base Post, Visakhapatnam-530 014.
4. The Secretary, Government of India,
Ministry of Personnel, Public Grievances & Pensions,
Department of Personnel & Training,
North Block, New Delhi-110 001.
5. The Ministry of Finance Rep. by
The Secretary, Government of India,
Department of Expenditure,
North Block, New Delhi-110 001.

...Respondents

(By Advocate : Smt B. Gayatri Varma, Sr. PC for CG)

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

Through Video Conferencing:



2. The OA is filed in regard to grant of notional increment to the applicants which fell due on a date subsequent to their dates of retirement.

3. Brief facts of the case are that the applicants retired on 30th June of different years. 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. Applicants represented seeking the said benefit and the same has been turned down. 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 vide order dt. 15.09.2017 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 other 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.



7. In view of the above position, 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

/evr/