

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA 21/00195 of 2021

HYDERABAD, this the 3rd day of March, 2021



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

1. Bakkappa . P, S/o. Pandappa,
Aged 67 years, (Group-C),
Occ: Retired Dy. Station Superintendent,
PPO No.59021119596,
R/o. H.No.19-4-585/1 (11),
Yallalinga Colony, Naubad Bidar – 585 403,
Karnataka State.
2. Bheemayya, S/o. Basappa,
Aged 66 years, (Group-C),
Occ: Retired Dy. Station Superintendent,
H.No.2-16/5, Road No.1, Dad Colony,
Macha Bolaram, Opp. Hanuman Temple,
Secunderabad – 500 010, Telangana State.
3. B. Yadagiri, S/o. Mallaiah,
Aged 66 years, (Group-C),
Occ: Retired Dy. Station Superintendent,
PPO No.59021119606.
4. Maruthy, S/o. Ramjee,
Aged 66 years, (Group-C),
Occ: Retired Engineering Gatekeeper,
PPO No.59021118373,
H.No.4-179, Dadu Thanda,
Dhannur Port, Bhalki Taluka,
Bidar District, Karnataka State.
5. Kallappa, S/o. Laxappa,
Aged 67 years, (Group-C),
Occ: Retired Khalasi Helper,
H.No.9-5-393, Goutam Nivas,
Milind Nagar, Chidri Road, Bidar District,
Karnataka State.
6. Baswaraj, S/o. Shankarappa,
Aged 64 years, (Group-C),
Occ: Retired Trackman,
PPO No.20187090500456,

R/o. H.No.152, Khanapur, Malchapur Post,
Bhalki Taluk, Bidar District, Karnataka State.

7. Shoba, W/o. Late Yenkat, Aged 65 years, (Group-C), Occ: House Wife, W/o. Late Yenkali Lingam, Retired Khalasi, PF No.04408895, Date of Retirement: 30.06.2015, H.No.22-2-232, Shivaji Street, Railway Station Road, Zahirabad, Sangareddy, District, Telangana State.



(By Advocate : Sri K. Altaf Hussain)

...Applicants

Vs.

1. Union of India rep. by
The Secretary, Railway Board,
Ministry of Railways, Rail Bhavan,
New Delhi.
2. The General Manager,
Rail Nilayam, III floor,
South Central Railway,
Secunderabad - 500025.
3. The Principal Financial Advisor,
Rail Nilayam, III floor,
South Central Railway,
Secunderabad.
4. The Principal Chief Personnel Officer,
Rail Nilayam, IV floor,
South Central Railway,
Secunderabad.
5. The Divisional Railway Manager,
Secunderabad Division, South Central Railway,
Secunderabad.
6. The Senior Divisional Personnel Officer,
Secunderabad Division, South Central Railway,
Secunderabad.
7. The Senior Divisional Financial Manager,
Secunderabad Division, South Central Railway,
Secunderabad.

....Respondents

(By Advocate : Sri T. Sanjay Reddy for Sri T. Hanumantha Reddy,
SC for Rlys.)

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

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.

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. Similarly, some 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/