

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/191/2021

HYDERABAD, this the 3rd day of March, 2021



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

1. A. Rama Prasad, S/o. A. Narasaiah,
Aged 67 years, (Group-C),
Occ: Ch. OS (Retired),
R/o.H.No.2-1-579 (B-36,F-40, MIG,
Vignanpuri Colony, Vidya Nagar,
Hyderabad – 500 044.
2. N. Prasad Rao, S/o. N. Yellaiah,
Aged about 65 years,
Occ: Ferro Printer (Retired),
R/o. Plot No.111, Jakkidi Rami Reddy Saheb Nagar colony,
Hyderabad – 500 060.
3. S.R. Rama Rao, S/o. S. Hanumantha Rao,
Aged about 65, years, Occ: Ch. OS (Retired),
R/o. F.No.502, Srinivasa Heights,
Opp. Life Spring Hospital, Jawahar Nagar,
Moula-Ali, Hyderabad – 500 040.

...Applicants

(By Advocate : Sri M.C. Jacob)

Vs.

1. Union of India rep. by
The Secretary, Railway Board,
Ministry of Railways,
Rail Bhavan, New Delhi.
2. The General Manager,
South Central Railways, Rail Nilayam,
Secunderabad.
3. The Chief Administrative Officer (Construction),
South Central Railway, Rail Nilayam, Secunderabad.

....Respondents

(By Advocate : Sri Bheem Singh for
Sri VVN. Narasimham, 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 2014 & 2016. 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 Ahmedabad Bench of this Tribunal in OA 145/2019 dt. 01.06.2020 which has been upheld by the Hon'ble High Court of Gujarat at Ahmedabad on 27.01.2021 in Special Civil Application No. 10751/2020, in support of their claim.

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/