

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/20/866/2020

HYDERABAD, this the 15th day of December, 2020

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



1. D.V. Anjaneyulu, S/o. D. Kotaiah,
Aged about 71 years,
Retd. Supervisor Telecom Officer,
HRMS.No.197403449 under PGMTD,
Guntur and now R/o. D.No.13-19-47,
Pothurajuvari Veedhi, Pinapadu, Tenali – 522 202.
2. G. Sudhakara Rao, S/o. Siva Ramakrishnaiah,
Aged about 66 years, Retd. SSS (O),
with HRMS.No.197802595 under PGMTD,
Guntur and now R/o. D.No.1-2-14, Plot No.206,
Lakshmi Prasad Arcade Bullaiah Chowdary Street,
Nazarpet, Tenali – 522 201.
3. M. Veera Swamy, S/o. M. Kotaiah,
Aged about 63 years,
Retd. Telecom Technician, under PGMTD, Guntur,
HRMS. No. 198204367 now R/o. D.No.13-19-46,
Pothurajuvari Veedhi, Pinapadu, Tenali – 522 202.
4. G. Mohan Rao, S/o. Subba Rao,
aged about 68 years, Retd. STS under PGMTD,
Guntur , HRMS No.197 201941 and now
R/o. D.No.39-10-1135/1, 5th Line, Nehru Nagar,
Nandanavanam Apartment, Guntur – 522 001.

...Applicants

(By Advocate : Sri K. Venkateswara Rao)

Vs.

1. The Principal General Manager,
Telecom District, BSNL, Guntur.
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, rep. 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 : Smt K. Rajitha, Sr. CGSC
Sri K. Ajay Kumar, SC for BSNL)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Admn. 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 have superannuated in different months and in different years. As the applicants retired the day before the due date of increment, they have been not been sanctioned the increment citing the reason that the applicants were not in service on the date of the increment. Applicants represented and since there is no response, 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 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. Similar OAs were also disposed of by this Tribunal. 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 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/