

Through Video Conferencing**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR****Original Application No.201/466/2020**

Jabalpur, this Tuesday, the 15th day of September, 2020

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER**

Leela Rani Mehta, w/o Shri Prasanna J. Mehta, aged 60 years, Retired Teacher,
Kendriya Vidhyalaya, R/o RH – 73, Casa Villas, Arandia, Near Talawali Chanda,
Indore – 453771

-Applicant

(By Advocate – Shri P.J. Mehta)

V e r s u s

1. Union of India through Secretary, HRD Ministry, 124-C, Shastri Bhawan, New Delhi – 110001.
2. Commissioner, Kendriya Vidhyalaya Sangathan, 18, Institutional Area, Saheed Jeet Singh Marg, New Delhi – 110016.
3. Deputy Commissioner, Kendriya Vidhyalaya Sangathan, Regional Office, Opposite Maida Mill, Bhopal - 462011

-Respondents

(By Advocate – Shri S.S. Chouhan)

O R D E R

By Ramesh Singh Thakur, JM.

Heard.

2. This Original Application has been filed against the inaction on behalf of the respondent department whereby the applicant has not been granted

one increment due on 01.07.2019 for the purpose of calculation of her pensionary benefits.

3. The case of the applicant is that she stood retired on 30.06.2019 and was issued the terminal benefits on the basis of her last basic pay as Rs.64,100/-. The main grievance of the applicant is that increment due on 01.07.2019 has not been granted to her while calculating the pensionary benefits to the applicant.

4. The applicant submits that the Hon'ble High Court of Madras while dealing with the similar situation in WP No. 15731 of 2017 (**P. Ayyamperumal vs. The Registrar, Central Administrative Tribunal & Ors.**) has passed the order dated 15.09.2017 (Annexure A-1), wherein it has been held that the petitioner shall be given one notional increment for the period from 01.07.2012 to 30.06.2013, as he has completed one full year of service, though his retirement fell on 01.07.2013, for the purpose of pensionary benefits and not for any other purpose. The order of Hon'ble High Court of Madras in the aforesaid Writ Petition has also been affirmed by the Hon'ble Supreme Court in SLP (C) No.22008/2018 (Annexure A-2).





5. Learned counsel for the applicant submits that the applicant has filed a detailed representation dated 06.12.2019 (Annexure A-6) to the respondents for redressal of her grievance raised in this Original Application. However, the same has not been decided till date. At this stage, learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to consider and decide her representation (Annexure A-6) in a time-bound manner.

6. Learned counsel for the respondents has no objection if this Original Application is disposed of in above terms.

7. In view of the above, we are of the opinion that ends of justice would be met if the respondents are directed to consider and decide the representation (Annexure A-6) in a time-bound manner. Accordingly, we direct the competent authority of the respondents to consider and decide Annexure A-6 representation dated 06.12.2019, if not already decided, within a period of four weeks from the date of receipt of a copy of this order. Needless to say that the competent authority shall pass the speaking and reasoned order by considering all the contentions raised in the representation.

8. With these observations, this Original Application is disposed of at the admission stage itself. No costs.

(Naini Jayaseelan)
Administrative Member
am/-



(Ramesh Singh Thakur)
Judicial Member