

Through Video Conferencing

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.201/494/2020

Jabalpur, this Friday, the 25th day of September, 2020

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



Bina P. Sharma
W/o Shri Pradeep Sharma
Aged 65 years
Retired Programme Executive
Prasar Bharti Aakashwani
R/o Indu Prabha 68 Laksh Vihar
Kanadia Road
Indore 452016

-Applicant

(By Advocate – Shri P.J. Mehta)

V e r s u s

1. Union of India through Secretary,
Ministry of Information & Broadcasting
Shastri Bhawan
New Delhi 110001

The Director General Prasar Bharti
Askashwani Aakashwani Bhawan
Sansad Marg New Delhi 110001

-Respondents

(By Advocate – Shri S.P. Singh)

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 given benefit of one increment due on 01.07.2015 for the purpose of calculation of her pensionary benefits and the applicant retired on 30.06.2015.

3. The case of the applicant is that she stood retired on 30.06.2015 and her basic pay in the month of June 2015 was Rs.33420/-. The main grievance of the applicant is that increment due on 01.07.2015 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-3).



5. Learned counsel for the applicant submits that the applicant has filed a detailed representation dated 09.12.2019 (Annexure A-7) 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 view that ends of justice would be met if the respondents are directed to consider and decide the representation (Annexure A-7) in a time-bound manner. Accordingly, we direct the competent authority of the respondents to consider and decide Annexure A-7 representation dated 09.12.2019, 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

(Ramesh Singh Thakur)
Judicial Member

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