

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.210/73/2020  
(with MA Nos.210/281/2020 & 210/182/2020)**

**Dated this Monday, the 23<sup>rd</sup> day of November, 2020**

**CORAM: DR. BHAGWAN SAHAI, MEMBER (A)**

**Proceeding conducted through video conferencing with the consent  
of counsels for the parties.**

Yelchury Ashok Kumar (Aged 60 years),  
Son of Shri Nagisetty, Building No.3,  
Flat No.52, MTNL Staff Quarters Magathane,  
Borivali East Mumbai 400 066  
(Retired as : Telecom Technical Assistant  
Staff No.18695).

- Applicant

(By Advocate Shri R.Ramachandran)

**Versus**

1. Mahanagar Telephone Nigam Limited ,  
Through its Chairman-cum-Managing Director,  
Mahanagar Doorsanchar Sadan,  
9, CGO Complex, Lodhi Road, New Delhi 110 003.
2. The Principal Controller of Communication Accounts,  
Department of Telecommunications,  
Administrative Bldg., Juhu Road, Santacruz, Mumbai 400 049.
3. General Manager (West-III), MTNL,  
Kandivali Telephone Exchange, Kandivali West,  
Mumbai 400 067.

- Respondents

(By Advocate Shri S.V.Marne, R-1 & R-3 and  
Mrs. N.V.Masurkar, R-2)

**ORDER ORAL**

Shri R.Ramachandran, learned counsel appeared for the applicant and Shri S.V.Marne, learned counsel appeared for the respondents No.1 & 3 and Mrs. N.V.Masurkar, learned counsel appeared for the respondent No.2.

2. Heard all the three counsels on MA No.281/2020 filed by the applicant for impleading General Manager (West-III), MTNL, Mumbai as respondent No.3 to the OA. This MA is allowed and General



Manager (West-III), MTNL Mumbai is taken on record as respondent No.3 in the OA.

3. The applicant has also filed MA No.182/2020 for amending reliefs sought in the OA stating that the revised last pay certificate issued by the respondents to the applicant should be set aside and quashed, and they should be directed to restore the applicant's last pay drawn as Rs.32,550/- per month and sanction him reworked pensionary benefits.

4. Heard all the three counsels on this MA.

5. In para 8 of the OA, the applicant had claimed relief as direction to the respondents to sanction pension and gratuity to the applicant along with interest on delayed payment of GPF.

6. The applicant's counsel pleads that amendment to the OA has been sought through this MA because at the time of filing of the OA, the respondents had not sanctioned pensionary benefits to the applicant but during pendency of the OA, the respondents have subsequently issued an order revising his last pay certificate is contends reduced amount of his last pay drawn to Rs.31,720/- whereas his last pay drawn was Rs.32,550/-.

7. In view of these submissions of the applicant's counsel, this MA No.182/2020 for amending the OA is allowed. The applicant's counsel further submits that instead of hearing further arguments on this OA, it can be disposed of by directing the respondents to consider the amended OA as representation of the applicant and decide it within specified time limit by reconsidering his contention of last pay drawn of Rs.32,550/-. The respondents counsel's have no objection if the OA is disposed of in this manner.



8. Considering these submissions of the parties, this OA is disposed of at this stage with a direction to the respondents No.1 and 3 to consider this OA along with copy of MA No.182/2020 submitted by the applicant as his representation and decide it by a well reasoned order within two months from the date of receipt of a certified copy of this order. On such consideration of the applicant's case, in case the applicant's contention of his last pay of Rs.32,550/- is not found justified, then in order the respondents shall mention reasons for this. After passing of the order, its copy should be made available to the applicant within two weeks.

9. With this the OA stands disposed of, with no order as to costs.

**(Dr. Bhagwan Sahai)**  
**Member (Administrative)**

kmg\*

JD  
01/12/2020



