

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/0221/2021

HYDERABAD, this the 11th day of March, 2021

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



1. G.Rajaiah, S/o G.Mallaiah,
Aged about 54 years, Occ: AGM (Retd)., Khammam,
R/o. H.No. 2 30, Kolanapak village, Yadadri Bhuvanagiri,
2. Kolli Apparao Naidu, S/o. Samgam Naidu,
Aged about 57 years, Occ: JAO (Retd)., Vizianagaram,
R/o. H.No. 17-9-67, Adarsh Nagar, Rajam,
Srikakulam District., Andhra Pradesh. 532127
3. G.Bhargava Prasad, S/o. G.Krishna Murthy,
Aged about 57 years, Occ: SED (Retd)., Musheerabad,
R/o. H.No. B-6, F-21, Janapriya Flyover,
Lalapet, Secunderabad – 500017
4. K.Sreedhar Reddy, S/o. Late K.Narasimha Reddy,
Aged about 58 years, Occ: SED (Retd)., Musheerabad,
R/o. Plot No. 48 & 49, 3rd Floor,
Road No. 1R, Chanakyapuri Colony,
Nagole, Hyderabad. 500068.
5. O. Vidyasagar, S/o. Late O. Krishna Murthy,
Aged about 57 years, Occ: SDE (Retd)., Saifabad,
R/o. H.No. 12-73, Sri Kondandaramnagar Colony,
Gaddiannaram, Hyderabad- 500060.
6. G.Sukanya, W/o. V.Kameswera Rao,
Aged about 52 years, Occ: AGM (Retd)., Musheerabad,
R/o. Plot No.37. H.No. 1-19-86/37,
Ashok Manipuri Colony, Kapra,
Medchal, Malkajgiri District,
Hyderabad. 500103.
7. G.Nagabhushana Chari, S/o. Laxmaiah,
Aged about 56 years, Occ: JTO, STR (Retd)., Karimnagar,
R/o. H.No. 4-37-12, Ramakrishna Nagar,
Jagathgiritutta, Hyderabad- 500037.
8. Sunil Thirupathi, S/o. Kanakappa,
Aged about 52 years, Occ: AGM (Retd)., Mahabubnagar,
R/o. H.No. 10-6-24/8/D3, Srinivasa Colony,
Mahabubnagar - 509001.

9. Vadiraj Prabhu, S/o. Late. M.H.Joshi,
Aged about 52 years, Occ: Sr. accountant (Retd)., Hyderabad,
R/o. Flat. No. A3, 3rd Floor, 3 4 485 & 485 1 Agarwal Apartment,
Barkatpura, Kachiguda, Hyderabad -27.
10. Rajaram, S/o. Ramu,
Aged about 59 years, Occ: AGM (Retd)., STR, Adilabad,
R/o. D.No. 3-227, Shashi Raj Nilayam, Near Hanuman Temple,
Tailors Colony, Adilabad. 504001.
11. Kamutam Ravinder, S/o. Venkataiah,
Aged about 52 years, Occ: JTO (Retd).,
R/o. H.No. 5-1-78, Kesamudram (V),
Mahabubabad District, 506112.

...Applicants

(By Advocate: Mrs. G. Manjula)

A N D

1. Union of India, Rep. by its Secretary,
Department of Telecommunications,
20, Ashoka Road, New Delhi – 110001,
2. Bharat Sanchar Nigam Limited,
Rep.by Chairman and Managing Director,
Bharat Sanchar Bhavan, BSNL Corporate Office,
Harish Chandra Mathur Lane, Janpath,
New Delhi – 110001.
3. The Chief General Manager,
BSNL, Telangana Telecom Circle,
Doorsanchar Bhavan, Nampally Station Road,
Hyderabad – 500 001.
4. The Chief General Manager,
BSNL, AP Telecom circle,
VIJAYAWADA-520004.
5. The Chief General Manager,
Southern Telecom Region, BSNL,
No.11 Link Road, Thiruvika Nagar,
Guindy, Chennai- 600032.

....Respondents

(By Advocate: Mrs.K. Rajitha, Sr. CGSC
Mr. K. Ajay Kumar, SC for BSNL)



ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Administrative 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 retired on 31.01.2020 pursuant to VR Scheme of 2019. 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 i.e. 01.02.2020. Applicants represented seeking the said benefit and the respondents rejected the representation of the 11th applicant. 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 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 this Tribunal.

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 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. In view of the above development, 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/