

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/00280/2021

HYDERABAD, this the 1st day of April, 2021

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



K.Bhanukiran S/o K.S.Patnaik,
Aged 65 years, Retd. Senior Transportation
Manager, R/o H.No.20-59/3, Street No.2,
Near Saraswathi School, Gowtham Nagar,
Malkajgiri, Hyderabad.

...Applicant

(By Advocate : Mr. G. Trinadha Rao)

Vs.

- 1.Union of India Represented by
The General Manager,
South Central Railway, Rail Nilayam,
3rd Floor, Secunderabad-500 025.
- 2.The Principal Chief Personnel Officer,
South Central Railway, Rail Nilayam,
4th Floor, Secunderabad-500 025.
- 3.The Senior Personnel Officer (Gaz),
South Central Railway, Rail Nilayam,
4th Floor, Secunderabad-500 025.

....Respondents

(By Advocate : Mr. S. M. Patnaik, SC for Railways)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:



2. The OA is filed in regard to grant of notional increment to the applicant which fell due on a date subsequent to his date of retirement.

3. Brief facts of the case are that the applicant retired on 30th June of 2015. As the applicant retired the day before the due date of increment, he has not been sanctioned the increment citing the reason that he was not in service on the date of the increment. Applicant earlier filed OA No. 750 of 2017 in regard to the same issue, which was disposed on 08.10.2020 directing the respondents to consider the request of the applicant. Pursuant to the said order, the respondents considered his case and turned down the request vide impugned order dt. 18.01.2021. Aggrieved, the OA is filed.

4. The contentions of the applicant are that the Hon'ble High Court of Madras in W.P.No. 15732 of 2017 vide order dt. 15.09.2017 has granted the relief sought, which has attained finality. The applicant also enclosed Memo dt.18.11.2020 issued by the South Western Railway, Hubballi granting notional increment to one Sri M. Siddaraj pursuant to the order passed by the Hon'ble Bangalore Bench of this Tribunal in OA No.170/677/2019 and as the applicant is similarly placed, he need to be granted the relief sought. He 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. 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.

Respondents also mentioned the same in the impugned order dt. 18.01.2021.

7. In view of the above position, the respondents are directed to consider grant of relief sought by the applicant 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

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