

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00348/2021

HYDERABAD, this the 29th day of April, 2021

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



S. Srinivas, S/o. Vittal,
Age about 55 years,
Occ: Retired Junior Engineer with HRMS No. 198702201,
And now Resident of H. No. 9-1-76, WP
Venkateswara Colony, Shivanarayananapuram,
Badangpet, Hyderabad – 500 058.

APPLICANT

(By Advocate : Mr. K. Venkateswara Rao)

AND

1. The General Manager, Telecom District, BSNL, Guntur.
2. The Chief General Manager, Telecom, Telecom Circle, Hyderabad.
3. The Chairman & Managing Director, BSNL, Corporate Office, Bharat Sanchar Nigam Ltd, 4th Floor, Janpath, New Delhi – 110 001.
4. Union of India Represented by the Secretary, Department of Telecommunication and IT, 20, Ashok Road, New Delhi.
5. The Chief Controller of Communications Accounts, Telecom, Telangana Circle, Hyderabad.
6. The Chief General Manager, BSNL, Tamilnadu Circle, Chennai.

..RESPONDENTS

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

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

Through Video Conferencing:

2. The OA is filed seeking a direction to grant the applicant notional increment which fell due on a date subsequent to his date of retirement, with consequential revision in pension and pensionary benefits.



3. Brief facts of the case are that the applicant retired on 31.01.2020 pursuant to VR Scheme of 2019. 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 i.e. 01.02.2020. Hence, the OA is filed.

4. The contention of the applicant is 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 he is similarly placed, he needs to be granted the relief sought. He also cited orders of this Tribunal and the Hon' ble High Court of Delhi on the same issue.

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. Several other 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.



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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