

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/021/0053/2019**

HYDERABAD, this the 19<sup>th</sup> day of March, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member**

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



Surendra Kumar Sahu, S/o. Purushottam Sahu,  
Aged 68 years, Occ: Director (Retired),  
O/o. The DC (MSME), New Delhi,  
Last employed as Director, MSME Development Institute,  
Guwahati (Retired on 30.06.2010),  
Resident of Flat No. 18, Block No. 17, Kendriya Vihar,  
Mayuri Nagar, Miyapur, Hyderabad – 500049, Telangana.

...Applicant

(By Advocate : Applicant in person)

Vs.

1. Union of India rep. by  
The Development Commissioner (MSME),  
7<sup>th</sup> Floor, A Wing, Nirman Bhavan,  
New Delhi – 110 108.
2. The Secretary (DOPT), Govt. of India,  
North Block, Central Secretariat, New Delhi – 110 001.
3. The Secretary (MSME), Govt. of India,  
Udyog Bhavan, New Delhi – 110108.
4. The Secretary (Department of Pensions & Pensioners Welfare),  
Govt. of India, Lok Nayak Bhavan,  
Khan Market, New Delhi -110 003.

....Respondents

(By Advocate : Mrs. K. Rajita, Sr. CGSC)

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

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



3. Brief facts of the case are that the applicant retired on 30<sup>th</sup> June of 2010. 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 raised a grievance on 29.05.2018 in regard to the said benefit and the same has been turned down on 24.07.2018. 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 vide order dt. 15.09.2017 has granted the relief sought, which has attained finality and as the applicant is similarly placed, ne need to be granted the relief sought from 01.07.2009 to 30.06.2010.

5. Heard the applicant appearing in 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. Similarly, some 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, with no order as to costs.

**(B.V.SUDHAKAR)**  
**ADMINISTRATIVE MEMBER**

**(ASHISH KALIA)**  
**JUDICIAL MEMBER**

/evr/