

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00229/2021

Jabalpur, this Wednesday, the 24th day of March, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER

A.K. Choudhary,
S/o Late shri L.C. Choudhary
Age 66 years Retired E.E. (Civil) (P&D)
BSNL Civil Zone MP East Jabalpur
R/o 3/3 Sheela Talkies Compound
South Civil Lines
Jabalpur (M.P.) 482001

-Applicant

(By Advocate –**Shri N.K. Salunke**)

V e r s u s

1. Union of India,
Through its Secretary
Department of Telecommunications Sanchar
Bhawan New Delhi 110001

2. The Chief General Manager
Telecom MP Circle BSNL Bhawan
Hoshangabad Road,
Bhopal (M.P.) 462015

3. The Chief Engineer (Civil),
BSNL Civil Zone
MP East Type VI Quarter
CTO Compound
Jabalpur (M.P.) 482001

- Respondents

(By Advocate –**Shri S.P. Singh**)

O R D E R (Oral)**By Ramesh Singh Thakur, JM:-**

This Original Application has been filed against inaction on the part of the respondent for not granting benefit of increment due on 01.11.2015 following the date of retirement, for the purposes of calculation of terminal benefits including pension and gratuity though applicant has preferred specific representation for granting the same.

2. From the pleadings the case of the applicant is that the applicant was working as Executive Engineer (Civil) (P&D) BSNL Jabalpur and got retired from service on 31.10.2015 on attaining superannuation. The applicant is eligible for grant of benefit of increment due on 01.11.2015 as applicant has rendered complete one year of duty from the last date of his increment, but same has not been allowed to the applicant. The Hon'ble Madras High Court has passed judgment dated 15.09.2017 in W.P. No.15732/2017, P. Ayyamperumal vs. Registrar CAT Madras & Others and allowed the benefit of increment due on 01.07.2013 for the purposes of calculation of pensionery benefits to the petitioner therein who retired on 30.06.2013 on attaining the age of superannuation (Annexure A/3). The said judgment has been traveled to Hon'ble Apex Court and the order of CAT Madras and others. The Review

Petition (Civil) preferred against the order dated 23.07.2018 in SLP (Civil) the same was also dismissed vide order dated 09.08.2019 (Annexure A/5). The applicant has made representation vide Annexure A/6 which is still pending for consideration.

3. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the competent authority of the respondents is directed to decide Annexure A/6 dated 06.11.2020 in a time bound manner.

4. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

5. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents are directed to decide representation dated 06.11.2020 (Annexure A/6) in a time bound manner.

6. Resultantly, the competent authority of the respondents is directed to decide the applicant's representation dated 06.11.2020 (Annexure A/6), if not already decided within six weeks after receiving the copy of this order.

7. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in Annexure A/6.

8. With these observations, this Original Application is disposed of at admission stage itself.

9. It is made clear that this Tribunal has not touched the merits of the case.

10. The applicant shall provide the copy of this order along with copy of O.A. to the compete authority of the respondents.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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