

Item No.13



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 428/2020 & M.A. No. 533/2020

with

O.A. No. 2062/2019

O.A. No. 2698/2019

This the 22nd Day of July, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

Hon'ble Mr. A.K. Bishnoi, Member (A)

OA No. 428/2020

1. Vinai Kumar Singh, Aged 61 years
S/o Late Sh. Janardan Singh,
Retired Deputy Director (Entomology)
Ministry of Agriculture & Farmers Welfare,
(Directorate of Plant Protection,
Quarantine & Storage, Faridabad)
r/o H. No.K-4088, Sainik Colony,
Sector 49, Faridabad – 121001
2. Vipin Bhatnagar, aged 64 years,
S/o Late Shri Raghubir Prasad Bhatnagar,
Retired Additional Plant Protection Advisor (NPRA),
Ministry of Agriculture & Farmers Welfare,
(Directorate of Plant Protection,
Quarantine & Storage, Faridabad)
R/o H.No. B-801, Sainik Colony,
Sector 49, Faridabad – 121001
3. Raj Pal, aged 62 years,
s/o Late Sh. Bhajan Lal,
Retired Senior Secretariat Assistant,
Ministry of Agriculture & Farmers Welfare,
(Directorate of Plant Protection,
Quarantine & Storage, Faridabad)
R/o Village Sadpura, PO Tigaon,
Tehs. & Distt. Faridabad – 121001
4. Raman Singh, aged 64 years,
S/o Late Sh. Hetram,
Retired Assistant Sector Officer,

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Ministry of Agriculture & Farmers Welfare,
(Directorate of Plant Protection,
Quarantine & Storage, Faridabad)
R/o H.No. 213, Sector 11D, Faridabad – 121001

5. Bhim Singh, aged 66 years,
S/o Lt. Sh. Kundan Singh
Retired Under Secretary,
Ministry of Agriculture & Farmers Welfare, New Delhi
R/o H.No. 977, Sector 21C, Faridabad – 121001
6. Kunwar Vir Singh, aged 65 years,
S/o Lt. Sh. Bhuj Bir Singh,
Retired as Assistant Director (Chemistry),
Ministry of Agriculture & Farmers Welfare,
(Directorate of Plant Protection,
Quarantine & Storage, Faridabad)
R/o H.No.16B, Block-K, (3rd Floor), N.H.5,
Faridabad – 121001
7. Shiv Datt Sharma, aged 61 years
S/o Lt. Sh. Manohar Lal Sharma,
Retired as Administrative Officer,
Ministry of Agriculture & Farmers Welfare,
(Directorate of Plant Protection,
Quarantine & Storage, Faridabad)
R/o H.No. 1036, Sector 8, Faridabad – 121001

... Applicants

(By Advocate : Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Ministry of Agriculture, Department of Agriculture,
Co-operation and Farmers Welfare,
Govt. of India, Krishi Bhawan, New Delhi.
2. The Secretary,
Ministry of Personnel,
Department of Personnel & Training,
North Block, New Delhi.
3. The Secretary,
Ministry of Finance,
Department of Expenditure,

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Govt. of India, North Block, New Delhi.

4. The Plant Protection Advisor,
Directorate of Plant Protection,
Quarantine & Storage, Govt. of India,
Ministry of Agriculture, N.H.IV, Faridabad (Har.)

... Respondents

(By Advocate : Dr. Ch. Shamsuddin Khan)

OA No. 2062/2019

Vijay Singh Khatri, Aged 62 years
S/o Sh. Baljeet Singh,
Retired PPS, from Ministry of Civil Aviation,
R/o B-24, Palika Niwas, Lodhi Colony,
New Delhi – 110003.

... Applicant

(By Advocate : Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary
Ministry of Civil Aviation, Govt. of India,
Rajiv Gandhi Bhawan, New Delhi.
2. The Secretary,
Ministry of Personnel,
Department of Personnel & Training,
North Block, New Delhi.
3. The Secretary,
Ministry of Finance,
Department of Expenditure,
Govt. of India, North Block, New Delhi.

... Respondents

(By Advocate : Shri B.L. Wanchoo)

OA No. 2698/2019

Bhuri Singh, Aged – 61 years,
S/o Late Sh. Jai Ram Singh,
Retired Chargeman from 509,
Army Base Workshop, Agra.

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R/o C-88, Molarband Extn., Badarpur,
New Delhi - 44

... Applicant

(By Advocate : Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary
Through the Chief Secretary,
New Secretariat, New Delhi.
2. The Director General of EME,
MGO's Branch, IHQ of MOD (Army)
Ministry of Defence,
DHQ PO, New Delhi-15
3. The Commandant,
509, Army Base Workshop,
C/O 56 APO.

... Respondents

(By Advocate : Ms. Neetu Mishra for Shri K.M. Singh)

**O R D E R (O R A L)**

Mr. Justice L. Narasimha Reddy :

The issue involved in all these three OAs is similar, therefore, they are being disposed of by this common order.

2. The applicants are retired employees from various departments of Government of India. While some of them retired on 30th June and the others retired on 31st December. Their grievance is that the increment that was due to them on 01st July of the year or 01st January of the next year, as the case may be, was not extended. This OA is filed with a prayer to direct the respondents to extend them such benefits.

3. The respondents filed a detailed counter affidavit. It is stated that though the relief was granted in certain cases, it was personal in nature and the applicants cannot claim the benefit.

4. We heard Sh. Yogesh Sharma, learned counsel for the applicants, Dr. Ch. Shamsuddin Khan, Sh. B.L. Wanchoo, and Ms. Neetu Mishra appearing for Sh. K.M. Singh, learned counsel for the respondents in respective OAs.

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5. An identical issue was dealt with by us in OA No. 776/2019 and batch decided on 15.07.2021. The operative para thereof reads as under:

“10. For the foregoing reasons, the OAs are allowed, directing that:

(a) for such of the employees, who retired on 30th June of any particular year, increment payable on 1st July shall be extended. Their pensions shall also be revised, subject to their fulfilling other conditions which are applicable. The arrears that become due shall be paid without interest;

(b) Similarly for employees, who retired on 31st December of a particular year, the increment payable on the 1st January of the next year shall be extended and pension revised, subject to same conditions in the same manner.

(c) While extending such benefits, a clause shall be incorporated to the effect that in case the Hon'ble Supreme takes a different view in the Civil Appeal arising out of SLP No. 4722/2021, they shall be under obligation to refund the entire benefit without any demur.

The aforesaid exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

Pending MAs shall also stand disposed of. There shall be no order as to costs.”

6. Following the same, we dispose of this OA also. Pending MA, if any, shall also stand disposed of. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/vinita/vb/ns/akshaya/