



**Central Administrative Tribunal
Principal Bench: New Delhi**

**O.A. No. 1462/2020
MA No. 2047/2021**

This the 21st day of September, 2021

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Prem Sagar Bahl,
S/o late Sh. SK Bahl,
R/o 14-A, Vikrant Apartments,
Plot No.45, Sector -13,
Rohini, Delhi-110085

Aged around 67 years,

Retired Deputy Commissioner (Transport)
Transport Department, GNCT of Delhi - Respondents

(By Advocate: Mr. Sourabh Ahuja)

Versus

1. Govt. of NCT of Delhi,
Through its Chief Secretary,
Delhi Sachivalaya,
Players Building, New Delhi
2. Secretary cum Commissioner (Transport)
Transport Department,
GNCT of Delhi, Rajpur Road,
(5/9 under Hill Road)
Delhi
3. Lt. Governor,
GNCT of Delhi,
Raj Niwas, Shmnath Marg, New Delhi



4. Pay and Accounts Officer,
PAO-XI, Old Secretariat ,
GNCT of Delhi, Delhi-54
- Respondents

(By Advocate: Mr. Amit Anand)

ORDER (ORAL)

Hon'ble Ms. Manjula Das, Chairman

This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, seeking the following reliefs:-

- “a) Quash and set aside order dated 20.08.2020 whereby the Respondents illegally and arbitrarily rejected the valid claim of the Applicant for grant of one notional increment for the purposes of pensionary benefits etc. And
- b) Direct the respondents to extend the benefit of Hon'ble Delhi High Court judgment dated 23.01.2020 in Gopal Singh's case (WP No.10509/2019) & judgment dated 13.01.2020 in Arun Chibber's case (WP(c) No.5539/2019) to the Applicant by granting one notional increment for the period of service w.e.f. 01.07.2013 to 30.06.2014 (Date of Applicant's superannuation) and also to re-fix the Applicant's pension consistent with the recommendations of the 7th CPC, apart from arrears & other consequential benefits. And
- c) Award cost in favour of the Applicant and against the respondents And/or.”

2. At the outset, learned counsel for the applicant submits that the issue involved in the present OA is squarely covered by the decision of the coordinate Bench of this



Tribunal dated 15.07.2021 in OA No. 776/2019 and batch.

He, therefore, prays for disposal of the this OA in terms of the directions issued in OA No. 776/2019.

3. Mr. Amit Anand, learned counsel for the respondent, submits that he has no objection to the prayer of the applicant, if the applicant is similarly situated with those of OA No. 776/2019 and batch.

4. We heard Mr. Saurabh Ahuja, learned counsel for the applicant and Mr. Amit Anand, learned counsel for the respondents through video conferencing.

5. We have examined the decision passed in OA No. 776/2019 and batch and found that the applicant is similarly situated with those of the said OA. We, therefore, dispose of the matter in terms of the following directions as issued in OA No. 776/2019 and batch:-

(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 interests;



(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 Court 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.

(Mohd. Jamshed)
Member (A)

(Manjula Das)
Chairman

/jyoti/lg /akshaya