

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 394 of 2000.

Dated this Friday, the 23rd day of June, 2000.

CORAM : Hon'ble Shri Justice R.G. Vaidyanatha, Vice-Chairman.  
Hon'ble Shri B. N. Bahadur, Member (A).

M. Angamuthu,  
Chief Accounts Officer (C & W),  
O/o. General Manager (North),  
under MTNL, Mumbai.

... Applicant

(By Advocate Shri K. R. Yelwe)

VERSUS

1. Union Of India through  
The Chairman,  
Telecom, Commission Deptt.  
of Telecommunications,  
Sanchar Bhavan, Ashoka Road,  
New Delhi - 110 001.
2. The Chief General Manager,  
Mahanagar Telephone Nigam Ltd.,  
Telephone House, Prabhadevi,  
V. S. Marg, Mumbai - 400038.
3. The Chief General Manager,  
Tamilnadu Telecom Circle,  
Anna Salai, Madras - 600 002.

... Respondents.

(None for the respondents)

OPEN COURT ORDER

PER : Shri R. G. Vaidyanatha, Vice-Chairman.

This is an application filed by the applicant seeking a direction to the respondents that he should be given four additional incentive increments on the ground of passing I.C.W.A.I. final examination. The further grievance of the applicant is that his junior, Shri K. Jawahar, has been given the additional increment but no such increments are given to the applicant and that the respondents have not cared to reply to his detailed representation dated 19.03.1999.

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2. After hearing the Learned Counsel for the applicant and perusing the materials on record, we feel that there is no necessity to admit the application and it can be disposed of by giving a direction to the respondents to consider the case of the applicant. The respondents have not replied to the representation dated 19.03.1999 which is addressed to the Chairman, Telecom Commission, New Delhi. The applicant has pointed out certain circumstances under which he is entitled to the additional four incentive increments. It is for the competent authority to apply his mind and consider the representation of the applicant and then decide whether he is entitled to the benefit or not. Since that exercise has not been done by the Respondents, we feel that without admitting the application and without expressing any view one way or the other, the competent authority must be directed to look into the matter and pass a speaking order.

3. In the result, the application is disposed of at the admission stage with a direction to the Chairman, Telecom Commission, New Delhi-110 001, to consider the applicant's representation dated 19.03.1999 and then find out whether he is entitled to any of the reliefs prayed for in the representation or not. Either the competent authority should sanction the prayer of the application in the representation or if he finds that the applicant is not entitled to any such relief, then dispose of the representation by a speaking order. Needless to say that if any adverse order is passed by the competent authority, the applicant may challenge the same according to law. In the circumstances, the competent authority is given three months time from the date of receipt of this order to comply with this order. Copy of this order be communicated to Respondent No. 1. No order as to costs.

B. N. BAHADUR  
(B. N. BAHADUR)  
MEMBER (A).

R. G. Vaidyanatha  
(R. G. VAIDYANATHA)  
VICE-CHAIRMAN.