

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

Original Application No. 34 of 2018
Date of order : 09-01-2018

Between :

Gobburu Rangaiah S/o Kistaiah,
Aged: 67 years, Occ : Retd. SDE BSNL,
R/o H.No.8-3-53/8/B, Teachers Colony,
Mahabubnagar – 509001.

....Applicant

AND

1. Union of India, Rep by its
Secretary (Department of Telecom),
20 Ashoka Road, Sanchar Bhavan,
New Delhi – 110001.
 2. The Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
Corporate Office, Personal Branch-II,
4th Floor, Janpath, New Delhi – 110001.
 3. The Chief General Manager Telecom,
BSNL, TS Telecom Circle, Nampally Station Road,
Door Sanchar Bhavan, Hyderabad-500 001.
 4. The Principal Controller of Communication Accounts,
Telephone Exchangej Building, Bholakpur,
Kavadiguda, Hyderabad-500080.
 5. The General Manager Telecom,
BSNL, Sanchar Bhavan,
Mahabubnagar-509001.
- ...Respondents

Counsel for the Applicant : Mr G.Rangaiah (party in person)

Counsel for the Respondents : Mrs A.P.Lakshmi, SC for BSNL for RR 2,3 & 5
Mrs K.Rajitha, Sr.CGSC for RR 1 & 4

CORAM :

THE HON'BLE MR. K.N.SHRIVASTAVA,ADMINISTRATIVE MEMBER

(Oral order per Hon'ble Mr.K.N.Shrivastava,Administrative Member)

(Oral order per Hon'ble Mr.K.N.Shrivastava,Administrative Member)

Heard. Issue notice to the Respondents. Mrs K.Rajitha, learned Senior Central Government Standing Counsel accepts notice on behalf of Respondents 1 and 4. Mrs Parvathi representing Mrs A.P.Lakshmi, learned Standing Counsel accepts notice on behalf of Respondents 2, 3 and 5.

2. The applicant retired from the service of the BSNL – Respondents organisation on 31.12.2009 from the post of Sub Divisional Engineer (SDE). His grievance is that he has been paid his retiral dues (Gratuity and leave encashment) on the basis of 25.3% Dearness Allowance whereas he should have been paid these benefits with enhanced DA at the rate of 30.9% which came into effect on 01.01.2010. In support of his claim, the applicant has relied on the judgment of Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in the case of Union of India, represented by its Secretary, Department of Telecom, New Delhi Vs. M.S.S. Ramachandra Murthy & others [WP No.19385 of 2016, dated 17.06.2017]. The applicant who is appearing as party in person submits that he has submitted Annexure-V representation dated 17.06.2017 addressed to Respondent No.2 but no action has been taken so far by the said Respondent. He further submits that he will be satisfied, at this stage, if a time bound direction is issued to the 2nd Respondent to decide his pending representation dated 17.6.2017. Learned Standing Counsel for Respondents do not have any objection if such a direction is issued.

3. Having regard to the submissions made and without going into the

merits of the case, this OA is disposed of with a direction to the Respondents to decide Annexure-V representation dated 17.06.2017 of the applicant within a period of three months from the date of receipt of a copy of this order by way of passing a reasoned and speaking order. In case the applicant remains dissatisfied with the order to be passed by the 2nd Respondent, he shall have the liberty to seek appropriate remedy as available to him under law.

4. No costs.

(K.N.SHRIVASTAVA)
ADMINISTRATIVE MEMBER

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