

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00488/2019
Chandigarh, this the 13th day of May, 2019

...
CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &

...
Pardeep Kumar Sharma, Aged 60 years, S/o Late Shri Dev Raj Sharma, Retired Tabla Instructor, Government Model Senior Secondary School Sector 32-C, Chandigarh, presently resident of House No. 3914/1, Sector 47-D, Chandigarh – 160047. Group C

....**Applicant**

(Present: Mr. R.K. Sharma, Advocate)

Versus

1. Union Territory, Chandigarh through Advisor to the Administrator, U.T. Secretariat, Sector 9, Chandigarh – 160009.
2. Education Secretary, Union Territory, U.T. Secretariat, Sector 9, Chandigarh – 160009.
3. Director School Education, Union Territory, Chandigarh Administration, Additional Deluxe Building, Sector 9, Chandigarh.

Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The solitary prayer in this O.A. is to issue direction to the respondents to consider the grant of annual increment falling due on 01.07.2016 to the applicant for the purpose of pensionary benefits in terms of judgment of the Hon'ble Madras High Court in the case of **P. Ayyamperumal Vs. The Registrar, Central**

Administrative Tribunal, Chennai and Others (CWP No. 15732/2017 decided on 15.09.2017).

2. Learned counsel submitted that the applicant, on attaining the age of superannuation, retired w.e.f. 30.06.2016, therefore, he has been deprived of one increment which fell due on 01.07.2016, though he completed full year of service on that date. He further submitted that after getting a cue from a judgment passed by the Hon'ble Madras High Court in the case of P. Ayyamperumal (supra), the applicant submitted a representation dated 04.10.2018 (Annexure A-1) which is pending unanswered. Therefore, he prayed that the applicant would be satisfied if a direction is issued to the respondents to consider his case in view of ratio laid down in the relied upon case.

3. Considering the short prayer made by learned counsel for the applicant, the Court deems it appropriate to dispose of this O.A., in limine, with a direction to the respondents to decide the indicated representation (Annexure A-1) in view of ratio laid down in the relied upon case. If the applicant's case is squarely covered by the relied upon case, he be granted the relevant benefit, otherwise a reasoned and speaking order be passed within a period of three months from the date of receipt of a copy of this order.

4. Needless to mention, that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case.
No costs.

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 13.05.2019

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