

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/01284/2016

Dated Monday the 25th day of March Two Thousand Nineteen

**CORAM : HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

S. Vijayakumar,
EC No. 6711 Technician-F,
Zirconium Complex,
Pazhayakayal,
Tuticorin 628152.Applicant

By Advocate M/s. M. S. Velusamy

Vs

1. The Union of India,
rep by the Secretary to Government,
Dept of Atomic Energy,
Anushakti Bhavan,
CSM Marg, Mumbai 400001.

2. Trombay Council,
rep by its Secretary,
BARC, Central Complex-III Floor,
Trombay, Mumbai 400085.

3. The Chief General Manager,
Heavy Water Plant,
Manuguru,
Gowthami Nagar Post,
Aswapuram 507116,
Kammam Dist, Telengana.

4. The Administrative Officer III,
Zirconium Complex,
Pazhayakayal,
Tuticorin 628152.Respondents

By Advocate Mr. M. Kishore Kumar

ORAL ORDER**(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))**

The applicant has filed this OA seeking the following reliefs :

- "i. Call for the records relating to the impugned rejection order passed by the Third respondent herein in his proceedings No. HWPM/Admn(R) CAT-I & II/2016/3101 dated 11.02.2016 and set aside the same;
- ii. and to direct the respondents herein to fix cadre of Tradesman-C + 3 increments to the applicant and to pay all monetary benefits as accrued thereon to the applicant;
- iii. and pass such further or other orders as may deem fit and proper and thus render justice."

2. When the matter is called, learned counsel for the respondents produces a copy of the interim order of the Hon'ble Supreme Court in SLP Diary No. 39131/2018 by which the impugned judgment of the High Court in the case had been stayed until further orders. It is submitted that the applicant is similarly placed as the respondents in the said SLP. As the Hon'ble Apex Court is seized of the matter, no useful purpose would be served by keeping the matter pending in this Court.

3. Learned counsel for the applicant would, however, submit that the Hyderabad Bench of this Tribunal had passed an order favourable to the persons similarly placed as the applicant though the order had not been implemented. He would accordingly seek a similar order to be passed by this Bench.

4. Keeping in view the above submission, since the Hon'ble Apex Court is seized of the matter, we are inclined to agree with the learned counsel for the respondents that no useful purpose would be served by this Court passing a

similar order in the matter. More so, when the order of the Hyderabad Bench of this Tribunal relied upon by the applicant has not been complied with and there is a stay of the operation of the order by the Hon'ble Apex Court. However, the respondents shall reconsider the relief sought by the applicant herein in the event of the Hon'ble Apex Court finally disposing of the matter in favour of persons similarly placed as the applicant within a period of two months thereafter.

5. OA is disposed of as above. No costs.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

25.03.2019

SKSI