

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/01111/2019
Chandigarh, this the 29th day of October, 2019

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

....

Ashwani Kumar s/o Late Sh. Raj Dev Sehra, aged 61 years, r/o Flat No. 59, Skynet Enclave, Zirakpur (Punjab) (Group C employee)

....Applicant

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

Versus

1. Union of India through Secretary, Ministry of Home Affairs, Central Secretariat, North Block, New Delhi – 110011.
2. The Registrar General and Census Commissioner, Government of India, Ministry of Home Affairs, 2/A, Mansingh Road, New Delhi – 110011.
3. Director, Census Operations, Haryana, Janagana Bhawan, U.T. Chandigarh, Sector 19, Chandigarh.

.....

Respondents

(Present: Mr. Sanjay Goyal, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. By way of the present O.A., the applicant, who retired on 30.06.2018, has sought issuance of a direction to the respondents to grant him the notional benefit of one increment for the year 2018 which became due to him on 01.07.2018.

2. Heard.

3. Learned counsel argued that the case of applicant is squarely covered by a judgment in the case of **P. Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and Others** decided on 15.09.2017, rendered by the Hon'ble Madras High Court, as upheld by the Hon'ble Supreme Court while dismissing the SLP filed by the State. He submitted that based upon the judgment

aforementioned, the applicant moved a representation dated 06.03.2019 (Annexure A-2) which was forwarded to Respondent No. 2 on 06.05.2019, but nothing has been communicated to the applicant despite reminder dated 25.06.2019. Learned counsel made a statement at the bar that the applicant would be satisfied if a direction is issued to the respondents to consider his representation in the light of law settled in the case of P. Ayyamperumal (supra)

4. Issue notice.

5. Mr. Sanjiv Dahiya, Advocate, who is present in the Court, accepts notice. He does not object to the prayer made by the learned counsel for the applicant.

6. In the wake of the above, the O.A. is disposed of, in limine, with a direction to the respondents to consider and decide the indicated representation (Annexure A-2) in the light of judgment delivered in the case of P. Ayyamperumal (supra). If the applicant is found to be similarly situated like the applicant in relied upon case, the relevant benefit be granted to him, otherwise a reasoned speaking order be passed within a period of two months from the date of receipt of a copy of this order.

7. 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: 29.10.2019

'mw'