

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1662/2019

Dated Monday, the 16th day of December, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

T. Thiagarajan

No. A5, BSNL Quarters

Avanashi

Tirupur District, Pin 641 654.

... Applicant

By Advocate M/s. R. Malaichamy

Vs

Union of India

Rep. By the Principal Controller of

Communication Accounts

Dept. of Telecommunications

Tamil Nadu Circle

No. 60, Ethiraj Salai

Chennai 600 008.

... Respondent

By Advocate Mr. Su. Srinivasan

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“1. To direct the respondent to fix the applicant's pay notionally at par with Sri. M. Markkandan and Sri. R. Kannappan with all monetary benefits for which he has made representations dated 25.06.2019, 17.10.2019 and 16.11.2019 to the respondent, and

2. To pass such further or other orders”.

2. The applicant joined the respondent department as Telephone Operator on 15.02.1960 and was promoted as Telephone Supervisor (TS) and further as Senior Telephone Supervisor (STS) in the year 1990. Further promotion of 10% BCR was withheld due to want of clarification on seniority. In the meantime, he retired on superannuation on 28.02.1995. The applicant's junior, one M. Markkandan approached this Tribunal in OA 64/2004 seeking the benefit of 10% BCR which was allowed by this Tribunal, vide order dated 05.10.2004 and the said order was also upheld by the Hon'ble High court in WP No.40399/2006 and the BSNL has also complied with the said order in the case of M. Markkandan. Citing that, another one R. Kannappan filed OA 262/2016 which was also allowed by this Tribunal by order dated 22.02.2017 and the BSNL has also complied with the said order in the case of R. Kannappan. Deprived of the said benefit of 10% BCR, the applicant has filed this OA.

3. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has filed representations dated 25.06.2019, 17.10.2019 & 16.11.2019 as Annexure A-3, 5 & 6 before the competent authority requesting for revision of pension on notional pay under BCR 10% promotion which are still pending and no order is passed till now. He will be satisfied if the said representations are disposed of within a stipulated time frame.

4. Mr.Su.Srinivasan, SCGSC takes notice on behalf of the respondents and submits that the respondents have no objection for disposal of the representations of the applicant on merits.

5. In view of the limited submission and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the applicant's representations dated 25.06.2019, 17.10.2019 & 16.11.2019 produced as Annexure A-3, 5 & 6 in the light of relevant rules and regulations and in the light of the relied upon judgements and pass a speaking order, within three months from the date of receipt of a copy of this order."

**(T.JACOB)
MEMBER (A)**

16.12.2019

M.T.

**(P.MADHAVAN)
MEMBER (J)**