
(2023) 11 CAT CK 0021

In the Central Administrative Tribunal

Case No : Original Application No. 332, 00470 Of 2023

Ram Naresh Mishra

APPELLANT

Vs

Union Of India Through The General Manager, Northern
Railway, Baroda House, New Delhi & Ors

RESPONDENT

Date of Decision : 16-11-2023

Acts Referred:

Citation : (2023) 11 CAT CK 0021

Hon'ble Judges : Anil Kumar Ojha, Member J

Bench : Single Bench

Advocate : Dhruv Srivastava, Prayagmati Gupta

Final Decision : Disposed Of

Judgement

Anil Kumar Ojha, Member J

1. Heard learned counsel for the applicant, learned counsel for the respondents and perused the records.

2. Applicant has prayed for the following reliefs:-

"i. To issue an order or direction, thereby directing the respondents to pay one (Notional) Annual Increment which was due on 01/07/2017 after retirement of applicant on 30/06/2017 forthwith.

ii. To issue direction to the Respondents to revise the pension, gratuity and leave encashment after adding one increment w.e.f. 01/07/2017 and further pay arrears of the pension along with interest @ 12% per annum till date of actual payments.

iii. To issue any other order or directions, which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

iv. To allow this original application with costs against the respondents in view of the facts and circumstances as well as the relevant judgments and grounds

mentioned in the Application.”

3. Submission of the learned counsel for the applicant is that in view of the law laid down by the Hon'ble Apex Court in Civil Appeal No.2471 of 2023 (@SLP (C) No.6185/2020) The Director (Admn. And HR) KPTCL & Ors. Vs. C.P. Mundinamani & Ors dated 11.04.2023, the applicant is entitled for increment due on 01.07.2017, even if, applicant has retired on 30.06.2017.

4. Learned counsel for the applicant submitted that ends of justice would be served if a direction is given by this Tribunal to the respondents/competent authority to consider and dispose of the pending representation of the applicant dated 04.10.2023, which is annexed at Annexure No. 1 [page-13] of the OA by the respondents by way of reasoned and speaking order within a stipulated period of time to be fixed by this Tribunal.

5. To this, learned counsel for the respondents orally opposed, however, submitted that in case the applicant's representation is directed to be decided in the manner suggested, then a period of at least two months may be allowed for the same.

6. Keeping in view the innocuous prayer made by the applicant, this O.A. is disposed of finally, without going into the merits of the case, with a direction to the respondents/ competent authority to consider and decide the representation filed by the applicant dated 04.10.2023, which is annexed at Annexure No. 1 [page-13] of the OA in the light of the judgment of the Hon'ble Apex Court in Civil Appeal No.2471 of 2023 (@SLP (C) No.6185/2020) The Director (Admn. And HR) KPTCL & Ors. Vs. C.P. Mundinamani & Ors dated 11.04.2023 within a period of two months from the date of receipt of a certified copy of this order in accordance with law by passing a reasoned and speaking order under intimation to the applicant forthwith.

The OA is disposed of accordingly.

Pending MAs, if any, also stand disposed of.

There is no order as to costs.