



PBC No: 24/2022
RBE No: -- / --

दक्षिण रेलवे Southern Railway
प्रधान मुख्य कार्मिक अधिकारी का कार्यालय
Office of the Principal Chief Personnel Officer
मुख्य कार्यालय, कार्मिक विभाग, चेन्नै-600003 -
Headquarters, Personnel Department, Chennai-600003

सं/No: P(R)436/P/Misc/Vol.IV

दिनांक/Dated:04.02.2022

All concerned

विषय /Sub: Grant of notional increment (as due on 1st July) for the pensionary benefits to those employees who had retired on 30th June before drawing the same

A copy of Railway Board's letter No.PC-VI/2020/Misc./01 (Pt.2) dated 27-01-2022 on the above subject alongwith its enclosures is enclosed for information, guidance and necessary action.

Digitally signed by M SENTHIL
KUMAR
Date: 2022.02.04 13:24:09 +05'30'

उप मुख्य कार्मिक अधिकारी / समन्वय
Deputy Chief Personnel Officer/ Co-ord

Encl: 14 pages

Copy to: The General Secretary/SRMU
The General Secretary/AISCTREA
The General Secretary/AIOBCREA
The General Secretary/NFIR

IT Section/PB/HQ - to upload in the SR website

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

U 2 P. 13 10/11/2021
130
फ.सौ.स.स/CC No. _____
New Delhi, dated: 27.01.2022

No. PC-VI/2020/Misc./01 (Pt.2)

The General Manager (P),
All Indian Railways
& Production Units

(Attn.: All PCPOs)

Sub: Grant of notional increment (as due on 1st July) for the pensionary benefits to those employees who had retired on 30th of June before drawing the same.
Ref: Board's letters No. No. PC-VI/2020/CC/13 dated 13.04.2021, PC-VI/2020/Misc./01 dated 01.03.2021 & PC-VI/2018/R-VI Pt. dated 21.05.2020.

Attention is invited to Board's letters dated 01.03.2021 & 21.05.2020 (copies enclosed) whereby DOP&T's advice/clarification on the issue of notional increment was circulated to all Zonal Railways & Production Units with a request to dispose all pending representations and to defend various cases filed across all Indian Railways by the retired employees seeking the benefit of notional increment (as on 1st July of their retirement year) and consequential pensionary benefits relying upon Hon'ble High Court of Madras in Shri P. Ayyangar's case.

2. Subsequently, vide Board's letter dated 13.04.2021 (copy enclosed), Hon'ble Supreme Court's interim stay order dated 05.04.2021 in SLP (C) No. 004722/2021 (Union of India & Ors Vs M. Siddaraj) was also circulated to all Zonal Railways & PUs with a request to bring the observations made by the Hon'ble Apex Court to the notice of respective Tribunals/ Courts by filing an appropriate application and also to incorporate the same in the counter reply/parawise comments in further cases, if any, filed on the similar issue in order to safeguard the interests of Union of India effectively.


3. However, it is observed that the above advice/ guidelines are not scrupulously being followed in some of the railways and the monitoring of these cases is also not at the desired level. It may be pertinent to mention that any such case if decided against the interests of Union of India will have far reaching implications/ cascading effects on similar cases being contested by this Ministry and other Ministries/ Departments as well.

4. Considering the seriousness of the matter, it is again advised that Hon'ble Supreme Court's interim stay order dated 05.04.2021 should invariably be brought to the notice of respective Tribunals/ Courts by way of filing an appropriate application in consultation with the Railway advocate, if not already done. Also, in cases where the counter reply has not yet been filed, if any, the same shall immediately be filed without any further delay, after getting the same approved from Board's office.

5. It is needless to say that full attention should be paid to these cases and monitored regularly by a competent JAG level officer as any laxity would result in huge ramifications on similar cases filed before various courts of law.

6. Receipt of this letter may please be acknowledged.

DA: As above


27/1/22
(M. K. Gupta)
Executive Director, Pay Commission - II
Railway Board
Tel. No. 011-47845209
Email add: mkguptairps.97@gov.in
1st floor, Room No. 152-B

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. PC-VI/2020/Miso./01

New Delhi, dated: 01.03.2021

**The General Manager (P),
All Indian Railways
& Production Units**

(Attn.: All PCPOs)

- Sub: Grant of notional increment (as due on 1st July) for the pensionary benefits to those employees who had retired on 30th of June before drawing the same – Clarification reg.**
- Ref: Board's letter No. PC-VI/2018/R-I/1 Pt. dated 21.05.2020.**

Attention is invited to Board's letter under reference whereby the advice/ clarification of DOP&T on the issue of grant of notional increment for the pensionary benefits to those employees who had retired on 30th of June was circulated to all Zonal Railways & Production Units with a request to dispose all pending representations/ defend pending court cases, if any, on the issue accordingly.

2. It has been observed that fresh cases on the issue of notional increment benefit are being filed all across the Indian Railways. Accordingly, the matter was again referred to DOP&T seeking further guidelines for effectively contesting such cases. Consequently, DOP&T vide their O.M. No. 19/2/2018-Estt (Pay-I) dated 03.02.2021 has issued further clarification in the matter citing various judgements pronounced in favour of Union of India/ relevant rule provisions etc. A copy of DOP&T's O.M. dated 03.02.2021 is attached herewith for effective utilization of the same in defending/ disposing various cases/ representations on the issue of notional increment.

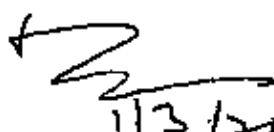
3. The above guidelines/ clarification of DOP&T may be suitably incorporated in the counter reply proposed to be filed before the Hon'ble CAT/ Court while defending such cases. The counter reply so prepared may be sent invariably to this office for approval before filing. It must be ensured that in any case the counter reply shall not be filed without getting the same approved from this office.

4. Considering the seriousness of the matter, various Railways where similar cases have been filed, were advised to nominate a competent JA Grade officer to regularly monitor these cases in consultation with Railway Advocate. It was also desired that Railway Board be kept apprised of these cases regularly. However, it is seen that the monitoring of these cases has not been at the desired level in some of the Railways.

5. It is also advised that as soon as the case is decided necessary application for supply of certified copy should be made. Upon receipt of the same, a copy thereof may invariably be sent to this office for being shared with other Railways or taking necessary remedial action, as the case may be. In the event of the case being decided against the interests of Union of India, process for drafting and filing Review Application/ Writ Petition should be initiated expeditiously in consultation with this office.

6. Receipt of this letter may please be acknowledged.

DA: As above


1/3/21
(M. K. Gupta)
Executive Director, Pay Commission – II
Railway Board

F. No. 19/2/2018-Estt (Pay-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated 3rd February, 2021

OFFICE MEMORANDUM

Subject: References/Representations/Court cases for granting notional increment for pensionary benefits in pursuance of the judgement dated 15.09.2017 of Hon'ble High Court of Madras in W.P. No. 15732 of 2017 in the case of P. Ayyamperumal Vs Union of India & Ors-regarding.

The undersigned is directed to refer to references/representations/court cases/VIP references, received in this Department in large numbers on the issue of granting notional increment for pensionary benefits to those Central government servants who have retired on 30th June/ 31st December of a year, in pursuance of the judgement dated 15.09.2017 of Hon'ble High Court of Madras in W.P. No. 15732 of 2017 in the case of P. Ayyamperumal Vs Union of India & Ors.

2. The issue has been examined in this Department in consultation with Department of Legal Affairs and it has been observed that the judgement dated 15.09.2017 of Hon'ble High Court of Madras in W.P. No.15732 of 2017 in the case of P. Ayyamperumal Vs Union of India & Ors. is 'in personam' in nature. A brief note reflecting the Government's stand on this issue is attached as Annexure-I.

3. Further, it is also mentioned that in a similar case, the Hon'ble Supreme Court, vide judgment dated 29.03.2019 (copy enclosed as Annexure-II), while dismissing the SLP (C) Dy. No.6468/2019 filed by D/o Telecommunications against the judgment dated 03.05.2017 of Hon'ble High Court, Lucknow Bench in WP No.484/2010 in the matter of UOI & Ors. Vs. Sakha Ram Tripathy & Ors., has, *inter alia*, observed the following:

"There is delay of 566 days in filing the special leave petition. We do not see any reason to condone the delay. The Special leave petition is dismissed on delay, keeping all the questions of law open."

4. Since the question of law is open and not yet decided, decision for implementation of the judgement dated 15.09.2017 of Hon'ble High Court of Madras in W.P. No. 15732 of 2017 in Shri P. Ayyamperumal case, *in rem* has not been taken.

6. Accordingly, all Ministries/Departments are, therefore, advised to dispose of all pending grievances seeking notional increment for pecuniary benefits and also to defend the various pending Court Cases at their earliest.

7. In their application to the persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India.

8. Hindi Version will follow.

Bipin
5/2/21

(Murali Bhavaraju)

Deputy Secretary to the Government of India
Tel. No.011-23094542

9

All Ministries/Departments of Government of India.

Copy also forwarded to:-

1. The Comptroller & Auditor General of India.
2. Secretary General, Supreme Court of India.
3. Controller General of Accounts/ Controller of Accounts, Ministry of Finance.
4. Union Public Service Commission/ Lok Sabha Sectt./ Rajya Sabha Sectt./ Cabinet Sectt./ Central Vigilance Commission/ President's Sectt./ Vice-President's Sectt./ Prime Minister Office/ Niti Aayog.
5. Government of all States and Union Territories
6. Department of Personnel and Training (AIS Division)/ JCA/ Admn. Section
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz shah Road, New Delhi.
8. All Members of Staff Side of the National Council of JCM/ Department Council.
9. All Officers Sections of Department of Personnel and Training/ Department of Administrative Reforms & Public Grievances/ Department of Pensions & Pensioners' Welfare/ PESB.
10. Joint Secretary (Pers.), Department of Expenditure, Ministry of Finance
11. Additional Secretary (Union Territories), Ministry of Home Affairs.
12. NIC, DOPT - with request to upload this O.M. on the Department's website under OMs & Orders (Establishment—Pay Rules) and also under "What is New".
13. Hindi Section, DOPT for Hindi Translation.

Bipin
5/2/21

(Murali Bhavaraju)

Deputy Secretary to the Government of India
Tel. No.011-23094542

Note on issue of granting a notional increment for pensionary benefits in pursuance of the judgment dated 15.09.2017 of Hon'ble High Court of Madras in W.P. No.15732 of 2017 in the case of P. Ayyamperumal Vs Union of India & Ors.

Hon'ble High Court of Madras, vide Order dated 15.09.2017, allowed the W.P. No. 15732 of 2017 filed by Shri P. Ayyamperumal relying upon its earlier judgment dated 20.09.2012 in W.P. No. 8440 of 2011 M. Balasubramaniam Vs State of Tamil Nadu. The said case referred by Hon'ble High Court in the said judgement is related to the Fundamental Rules of Tamil Nadu Government whereas the case of petitioner Shri P. Ayyamperumal relates to Central Government Rules. As per the provisions under the Tamil Nadu Fundamental Rule 26(a), the annual increments of the Govt. Servants are regulated in four quarters viz. 1st January, 1st April, 1st July and 1st October. For the Central Government, the increment accrues annually on 1st July only (6th CPC scenario) [now 1st July and 1st January in 7th CPC scenario]. Hence, argument of petitioner is devoid of merits.

2. In light of the relevant provisions of the Fundamental Rules like 9 (21), 9(6), 17(1), 22, 26(a) and 56(a), as also the provisions of CCS (RP) Rules, 2008, a person appointed as a Government servant is entitled to pay, and is also entitled to draw the annual increment as long as such Government servant discharges duties of the post. However, such Government servant may not be entitled to draw the pay and allowances attached to the post as soon as he ceases to discharge those duties. In other words, as per F.R. 17 read with F.Rs. 24 and 26, annual increment is given to a Government servant to enable him to discharge duty and draw pay and allowances attached to the post. If such Government servant ceases to discharge duties by any reason say, by reason of attainment of age of superannuation, he will not be entitled to draw pay and allowances. Such an employee would not be entitled to any increment if it falls due after the date of retirement, be it on the next day of retirement or sometime thereafter. An employee must satisfy not only the condition of becoming entitled for increment, but also should continue to be on duty as a Government servant on the due date (1st July/ 1st January) to avail the increment.

3. Further, in a similar matter, Hon'ble High Court of Andhra Pradesh at Hyderabad, in the year 2005, in the C. Subbarao case, has, inter alia, observed as under:

"In support of the above observations, the Division Bench also placed reliance on Banerjee case (supra). We are afraid, the Division Bench was not correct in coming to the conclusion that being a reward for unblemished past service, Government servant retiring on the last day of the month would also be entitled for increment even after such increment is due after retirement. We have already made reference to all Rules governing the situation. There is no warrant to come to such conclusion. Increment is given (See Article 43 of CS Regulations) as a periodical rise to a Government employee for the good behavior in the service. Such increment is possible only when the appointment is "Progressive Appointment" and it is not a universal rule. Further, as per Rule 14 of the Pension Rules, a person is entitled for pay, increment and other allowances only when he is entitled to receive pay from out of Consolidated Fund of India and continues to be in Government service. A person who retires on the last working day would not be entitled for any increment falling due on the next day and payable next day thereafter (See Article 151 of CS Regulations), because he would not answer the tests in these Rules. Reliance placed on Banerjee case (supra) is also in our considered opinion not correct because as observed by us, Banerjee case (supra) does not deal with increment, but deals with enhancement of DA by the Central Government to pensioners. Therefore, we are not able to accept the view taken by the Division Bench. We accordingly, overrule the judgment in Malakondalah case (supra)."

4. In addition, subsequent to the judgment of Hon'ble High Court of Madras in the P. Ayyamperumal case, Hon'ble CAT Madras Bench vide its Orders dated 19.03.2019 in O.A.No.310/00309/2019 and O.A. No.310/00312/2019 and Order dated 27.03.2019 in O.A. No.310/00026/2019 has also dismissed similar requests related with notional increment for pensionary benefits.

SECTION NO. 14

COURT NO. 7

SECTION 31

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s) - 8888/2018

ORDER ON APPEAL FROM (UNQUOTE) Final Judgment and order dated 07-05-2017
in Writ Petition No. 484/2016 passed by the High Court of
Judiciary at Allahabad, Lucknow Bench)

UNION OF INDIA & ORS.

PETITIONER(S)

VERSUS

MAHA RAN INTAINI

RESPONDENT(S)

FOR ADMITTANCE AND INTERIM RELIEF AND
FOR CONDONATION OF DELAY IN FILING)

DATE : 28-07-2018 This petition was called on for hearing today.

BY :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MS. JUSTICE INDU MALHOTRA

FOR PETITIONER(S)

Ms. Nadhvi Divan, ASG
Mr. Anmol Chandan, Adv
Mr. Amit Sharma, Adv
Mr. Gurmeet Singh Makker, AOR

FOR RESPONDENT(S)

UPON hearing the counsel the Court made the following
ORDER

We have heard Ms. Nadhvi Divan, learned Additional Solicitor
General for the petitioner-Union of India.

There is delay of 566 days in filing the special leave
petition. We do not see any reason to condone the delay.

The special leave petition is dismissed on delay, keeping all
the questions of law open.

Pending applications, if any, shall also stand disposed of.

(RAJABIR SINGH)
COURT MASTER

(RAJINDER KAUR)
BRANCH OFFICER

4. DOP&T vide their O.M dated 11.11.2019 have stated that the judgment passed in the case of Shri P. Ayyamperumal is in personam. Further, the judgment pronounced by Hon'ble High Court of Madras in P. Ayyamperumal case, as endorsed by Hon'ble Supreme Court, is based on the decision in the case of M. Balasubramaniam, which was related to Fundamental Rules of State Govt. However Central Government employees are governed by Central Government Rules. Further, Hon'ble High Court of Andhra Pradesh at Hyderabad in C. Subbarao case has inter-alia observed that " A person who retires on the last working day would not be entitled for any increment falling due on the next day and payable next day thereafter, because he would not answer the tests in these Rules." A copy of DOP&T O.M dated 11.11.2019 is enclosed herewith.

5. The Railways are therefore advised to take further necessary action to dispose off the pending representations on the issue based on above position and advice of DOP&T. The pending court cases may also be defended accordingly. Further, in case any clarification / inputs are required relating to railway Fundamental Rules and Railway Pension Rules, Finance (Estt.) etc. may also please be consulted being the nodal directorate on these aspects. This issues with the approval of DG/HR, Railway Board.

DA: As above


(U. K. Tiwari)

Joint Director, Pay Commission
Railway Board

Copy to: EDF(E) / Railway Board for information .

Ministry of Personnel, Public Relations & Training
Government of India
Department of Personnel & Training

Dated this 14th day of May 2014

OFFICE MEMORANDUM

Subject: Representations regarding grant of annual increments to the employees covered in sub-rule 1 of the 7th pay band.

The undersigned is directed to refer to letter No. 20/10/2014/101 of Ministry of Railways dated 14/10/2014 in the subject above wherein representations of this Department has been sought in the letter of Hon'ble CAG's (raised in several court cases filed by P. Ayyampirumal seeking the benefits of national agreement for the 7th pay band) for the judgment in P. Ayyampirumal case.

2 In this matter, with reference to Central Government, the following is hereby stated:

2.1 In so far as P. Ayyampirumal case is concerned, referred by the instant case also, it is stated that the judgment Hon'ble J.J. of Madras in P. Ayyampirumal case is in personam.

2.2 Further, the case of Sh. M. Balasubramaniam referred by Hon'ble High Court in its judgment in P. Ayyampirumal case, relates to Fundamental Rules of Tamil Nadu Government whereas P. Ayyampirumal case relates to Central Government Rules.

2.3 It is relevant to mention here that in a similar matter, Hon'ble High Court of Andhra Pradesh at Hyderabad in year 2005, in *Siddharth case*, has inter-alia observed as under:

"In support of the above observations, the Division Bench also placed reliance on Hanerjee case (supra), we are afraid, the Division Bench was not correct in coming to the conclusion that being a reward for unblemished past service, Government servant retiring on the last day of the month would also be entitled for increment even after such increment is due after retirement. We have already made reference to all Rules governing the situation. There is no warrant to come to such conclusion. Increment is given (See Article 43 of CS Regulations) as a periodical rise to a Government employee for the good behavior in the service. Such increment is possible only when the appointment is "Progressive Appointment" and it is not a universal rule. Further, as per Rule 14 of the Pension Rules, a person is entitled for pay, increment and other allowances only when he is entitled to receive pay from out of Consolidated Fund of India and continues to be in Government service. A person who retires on the last working day would not be entitled for any increment falling due on the next day and payable next day. The same is also the view of CS Regulations, because he would not be entitled for the same. Rule 14, Pension

placed on *Banerjee case (supra)* as well as the *Chatterjee* opinion not correct because as observed in the *Chatterjee case (supra)* does not deal with increment, but deals with enhancement of DA by the Central Government to pensioners. Therefore, we are not able to accept the view taken by the Division Bench. We accordingly overrule the judgment in *Malayudalan case (supra)*."

2.4 In addition, subsequent to the judgment of Hon'ble High Court of Madras in *P. Ayyampertal case*, Hon'ble CAT Madras Bench, vide its Orders dated 19.03.2019 in O.A. No. 310/00309/2019 and O.A. No. 310/00312/2019 and Order dated 27.03.2019 in O.A. No. 310/00026/2019 has also dismissed the similar requests related with notional increment for pensionary benefits.

2.5 The Hon'ble Supreme Court, vide judgment dated 29.03.2019, while dismissing the SLP (C) Dy. No. 6468/2019, filed by D/o Telecommunications against the judgment dated 03.05.2017 of Hon'ble High Court, Lucknow Bench in WP No. 484/2016 in the matter of *UOI & Ors. Vs. Sakha Ram Tripathy & Ors.*, has *inter alia* observed the following:

"There is delay of 566 days in filing the special leave petition. We do not see any reason to condone the delay. The Special leave petition is dismissed on delay, keeping all the questions of law open."

3. Further, it is also stated that this Department's OM No. 20036/23/1988-Estt (D) dated 06.01.1989 provides that since each case is to be contested on the basis of the specific facts and circumstances relevant to it, the Administrative Ministry/Department or D/o Ministry of Railways in the first instance will be in a better position to defend the case if required. If however, any clarification is required on the interpretation or application of the rules or instructions relevant to the case, the concerned department in the Ministry of Personnel, Public Grievances and Pensions may be approached for that purpose. It further provides that the primary responsibility, however, for contesting such cases on behalf of the Government will be that of the administrative Ministry/Department concerned. Further, the Cabinet Secretariat D.O. letter No. 6/1/1/94-Cab dated 25.02.1994, as also the Cabinet Secretary's D.O. letter no. 1/50/3/2016-Cab, dated 16.06.2016 and the Department of Expenditure's OM No. 7(6)/2012-E-III(A) dated 16.05.2012 *inter alia* provide that (i) a common counter reply should be filed before a Court of Law on behalf of the Union of India by the concerned administrative Department/Ministry where the petitioner is serving or has last served; and (ii) a unified stand should be adopted instead of bringing out each Department's/Ministry's point of view in the said reply. It further provides that it is primarily the responsibility of the Administrative Ministry to ensure that timely action is taken at each stage a Court case goes through and that a unified stand is adopted on behalf of Government of India at every such stage. In no case should the litigation be allowed to prolong to the extent that it results in contempt proceedings.

4. Ministry of Railways is requested to take appropriate action in the light of above observations.

P Bahree

Under Secretary to the Government of India
Tel. No. 23040489

Ministry of Railways,

[Kind attention: Shri U.K. Tiwari, Joint Director, Pay Commission]

Railways Board, Rail Bhawan

New Delhi

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

**MOST IMMEDIATE
COURT CASE**

No. PC-VI/2020/CC/13

New Delhi, dated: 13.04.2021

The General Manager (P),
All Indian Railways
& Production Units

(Attn.: All PCPOs)

- Sub:** Grant of notional increment (as due on 1st July) for the pensionary benefits to those employees who had retired on 30th of June before drawing the same – Clarification reg.
Ref: Board's letters No. PC-VI/2020/Misc./01 dated 01.03.2021 & PC-VI/2018/R-I/1 Pt. dated 21.05.2020.

A number of cases have been filed across all Indian Railways by various retired employees who had retired on 30th of June of a year seeking the benefit of notional increment (as due on 1st July of the retirement year) for the purpose of pensionary benefits primarily relying upon the judgment of Hon'ble High Court of Madras in W.P. No. 15732/2017 in the matter of Sh. Ayyamperumal.

2. Keeping in view the intricacies involved and the cascading effect of any adverse judgement in the aforesaid cases; relevant guidelines of DOP&T in the matter were circulated to all Zonal Railways/PUs vide Board's letters under reference with a request to dispose all pending representations/ defend pending court cases, if any, on the issue accordingly.

3. In one such case viz. SLP (C) No. 004722 - /2021 (Union of India & Ors Vs M.Siddaraj) filed before Hon'ble Supreme Court of India vide Dy. No. 5821/2021, Hon'ble Supreme Court vide their order dated 05.04.2021 (copy enclosed) have granted stay on implementation of Hon'ble CAT/ Bangalore Bench's order while observing as under:

"Issue notice returnable after three weeks.

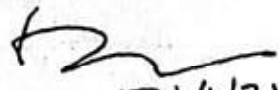
In the meanwhile, there will be stay of operation of the order dated 18th December, 2019 of the Central Administrative Tribunal, Bangalore Bench in Original Application No. 170/00677/2019, affirmed by the judgement and order impugned. The Petitioners shall, however, in the meanwhile without prejudice to the rights and contentions of parties pay retiral dues of the Respondent computed on the basis of the last pay drawn by him on the date of his retirement, that is, 30.06.2014."

4. The above factual position/ observation of Hon'ble Supreme Court may be brought to the notice of respective Hon'ble Tribunals/ Courts by filing an appropriate application. Further, the same shall also be invariably incorporated in the counter reply/ parawise comments in further cases, if any, filed on the similar issue to safeguard the interests of Union of India effectively.

5. It may be ensured that the nominated Railway Advocates are properly & timely briefed on the matter.

6. Receipt of this letter may please be acknowledged.

DA: As above


13/4/21
(M. K. Gupta)
Executive Director, Pay Commission – II
Railway Board
Tel. No. 011-23370081
Email add: mkguptairps.97@gov.in
1st floor, Room No. 152-B

ITEM NO.13

Court 13 (Video Conferencing)

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s): 4722/2021

(Arising out of impugned final judgment and order dated 22-10-2020 in WP No. 146967/2020(S-CAT) passed by the High Court Of Karnataka Circuit Bench At Dharwad)

UNION OF INDIA & ANR.

Petitioner(s)

VERSUS

M. SIDDARAJ

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 05-04-2021 This petition was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Ms. Madhavi Divan, ASG
Mr. Nachiketa Joshi, Adv.
Mr. Ayush Puri, Adv.
Mr. Raj Bahadur Yadav, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Issue notice returnable after three weeks.

In the meanwhile, there will be stay of operation of the order dated 18th December, 2019 of the Central Administrative Tribunal, Bangalore Bench in Original Application No.170/00677/2019, affirmed by the judgment and order impugned. The Petitioners shall, however, in the meanwhile without prejudice to the rights and contentions of parties pay retiral dues of the Respondent computed on the basis of the last pay drawn by him on the date of his retirement, that is,

30.06.2014.

Signature valid



(NIRMALA NEGI)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)