

**CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD (TELANGANA)
NO. 5-10-193, 1ST FLOOR, HACA BHAVAN, HYDERABAD - 500004**

Order Sheet

Item no.: 5
O.A./712/2021
[PENSIONARY BENEFITS]
[SENIOR CITIZEN]
Court No.: 1

No of Adjournment:

Order Dated: 22/10/2021

I PRABHAKARA RAO
Vs
BSNL

For Applicant(s) Advocate :

Dr. A Raghu Kumar

For Respondent(s) Advocate :

Mrs. K Rajitha, Mrs. T Bala Jayashree

<u>Notes of The Registry</u>	<u>Order of The Tribunal</u>
	<u>Through Video Conferencing:</u> Mr. B Pavan Kumar representing Dr. A Raghu Kumar, learned counsel for the applicant. Mrs. K Rajitha, learned counsel for the respondent Nos. 1 & 2. Mrs. T Bala Jayashree, learned counsel for respondent Nos. 3 to 7. The pay of the applicant was wrongly fixed and on refixation, his pay has been reduced from Rs. 26,190/- to Rs. 25,050/- and a recovery of Rs. 5,63,557/- has been ordered. Earlier, the applicant had approached this Tribunal vide OA No. 785/2020 and this Tribunal had stayed the recovery in terms of the Hon'ble Apex Court decision in <i>State of Punjab & Others vs Rafiq Masih in C.A. No.11527/2014</i>. However, the learned counsel for the applicant submits that the applicant has not been paid any pensionary benefits till date and he has been pressurised by the respondents to pay the over due amount. In view of the above, the respondents are directed not to make any recovery for the time being till the disposal of the OA and also to release the pension of the applicant in accordance with the rules. It is also made clear that the applicant shall not be pressurised to make payment of the over due amount. ADMIT. Issue notice to the respondents to file reply. Learned counsels, Mrs. K. Rajitha and Mrs. T Bala Jayashree accepted notice on behalf of the respondents. Mrs. T Bala Jayashree submitted that she needs some time to get instructions. It is allowed. The respondents are directed to file reply within four weeks. Two weeks thereafter for the applicant for filing rejoinder, if any. List the case before the Registrar's Court on 03.12.2021.

B V Sudhakar
Member (A)

Ashish Kalia
Member (J)

/RAKU/