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Central Administrative Tribunal, Principal Bench

Original Application No.262 of 2002

M.A.No.264/2002

New Delhi, this the 1st day of February, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. V.K. Majotra, Member(A)

1. Narender Singh  
s/o Shri Hari Kishen  
R/o C-1/32, Sector-16, Rohini,  
Delhi.
2. Chet Ram  
s/o Shri Pooran Singh  
R/o 847, Sector-3, R.K. Puram  
New Delhi.
3. Sushil Kumar  
s/o late Shri Virender Singh  
R/o B-25, Police Colony,  
Sector 12, R.K. Puram, New Delhi
4. Kalpana Sharma  
w/o Shri Thakur Dutt Sharma  
R/o T-62-C, First Floor, Khirki  
Extn., Malviya Nagar, New Delhi
5. Subhash Chand  
S/o Shri Chander Pal  
R/o House No. 650, Gali No. 7  
B-Block, Rajbir Colony,  
Gharauli Extn., Delhi
6. Madan Singh Bisht,  
s/o late Shri G.S. Bisht  
r/o 65-B, Pocket-II, Paschim Puri  
New Delhi
7. Sudhir Bhalla  
s/o Shri S.K. Bhalla  
r/o J/30-A, M.I.G. Flats  
Ashok Vihar Phase-I  
Delhi
8. Kuldeep Singh  
S/o Shri Nawab Singh  
R/o 1060, Sector-12, R.K. Puram  
New Delhi
9. Nanak Chand  
s/o Shri Govind Ram  
R/o D-1/297, Sector-4, Ambedkar Nagar,  
New Delhi
10. Ajinder Singh  
s/o Shri Devinder Singh  
r/o A-124, Fateh Nagar,  
Tilak Nagar, New Delhi



11. Anuj Kumar Bhatti  
S/o Shri Ved Ram,  
R/o 329-F, Pocket-II, Phase-I  
Mayur Vihar, Delhi

12. Aman Kumar,  
S/o Shri T.P.S. Yadav,  
R/o G-3/2, Police Colony,  
Andrewj Ganj, New Delhi

13. Madan Lal  
S/o Shri Parbhati Lal,  
R/o B-32, Police Station Kamla Market  
New Delhi

14. Sushma Rani  
W/o Shri Yograj  
R/o A-1/307, Lawrance Road,  
Keshav Puram, Delhi

- Applicants

(By Advocate: Shri S.K. Sinha)

Versus

1. Union of India  
through the Secretary  
Govt. of India,  
Ministry of Home Affairs, North Block  
New Delhi

2. Government of NCT of Delhi  
Through the Chief Secretary  
Delhi Administration, 5, Sham Nath Marg  
Delhi

3. Commissioner of Delhi Police  
Police Headquarters, I.P. Estate  
New Delhi

- Respondents

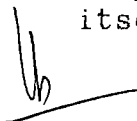
O R D E R (ORAL)

By Mr. V.K. Majotra, Member(A)

M.A.264/2002 for joining together in a single application, is granted.

2. Earlier on, by order dated 23.4.2001, applicants' OA-977/2001 was decided relating to their claim for superior pay scales with the following directions:

"2. In view of the aforesaid facts, we find that ends of justice would be met by disposing of the present OA at this stage itself even without issuance of notices with



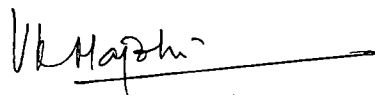
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a direction to the Ministry of Home Affairs, respondent No.1 herein to pass suitable orders in regard to the aforesaid claim expeditiously and within a period of three months from the date of service of this order. We direct accordingly."

3. The learned counsel Shri S.K. Sinha stated that the applicants have challenged respondents' order dated 25/27.7.2001 at Annexure A-1 denying the applicants the pay scale of Rs.1640-2660 (pre-revised) and Rs.5000-8000 (revised). The learned counsel contended that this order suffers from patent errors as it proceeds on wrong facts relating to applicants' qualifications, promotional avenues etc.

4. Basically what pay scale should be given to a category of Government servants is a matter which cannot be and should not be decided by a court or Tribunal. It is a matter for an expert body such as the Pay Commission to decide and also it is for the Government to decide on the recommendations of the expert bodies as a policy decision as to what kind of pay scale should be allocated to a category of Government servants. Therefore, we are disinclined to go into the allegation that the impugned order is based on wrong facts.

5. However, in our view, ends of justice would be duly met if the respondents are called upon to consider the present OA as applicants' representation against the impugned order at Annexure A-1 and to pass suitable orders thereon within a period of two months from the date of service of these orders on them. This OA is disposed of in the above terms. No costs.

  
( V.K. Majotra )  
Member(A)

  
( Ashok Agarwal )  
Chairman

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