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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.733/2002

New Delhi, dated this the 14th day of May, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri V.K. Majotra, Member(A)

Suresh Chander Singh
20/613, DDA Janta Flats
Dakshinpuri, New Delhi-62

.. Applicant

(Applicant in person))

versus

Union of India, through

1. Cabinet Secretary
Rashtrapati Bhavan, New Delhi
2. Director General, Health Services
Nirman Bhavan, New Delhi
3. Secretary
Ministry of Health & Family Welfare
Nirman Bhavan, New Delhi

.. Respondents

(Shri Rajinder Nischal, Advocate)

ORDER(oral)

Shri Justice V.S. Aggarwal

Applicant Shri Suresh Chander Singh seeks a direction for revision of his pension by fixing the pay of the applicant in the scale of Rs.5000-8000 with consequential benefits.

2. Some of the relevant facts which in fact are not in controversy can be delineated. On the recommendations of the Fifth Central Pay Commission from the 1st of January, 1996, the pay scale of the applicant was revised to Rs.4500-7000. The applicant superannuated on 31.10.1996. Before the Pay Commission's recommendations were implemented, applicant was placed in the pay scale of Rs.1400-2300. Applicant contends that he should have

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been placed in the pay scale of Rs.5000-8000 because he had put in more than 40 years of satisfactory service, and that the only additional incentive in terms of financial relief that could be given is by placing the applicant in the pay scale of Rs.5000-8000.

3. In the reply, the claim of the applicant has been contested. Though in fact there is no dispute that the corresponding scale of the person working in the pay scale of Rs.1400-2300, in which the applicant was working, is Rs.4500-7000, as per the respondents there is no rule to allow higher pay scale to the applicant.

4. Perusal of the records clearly reveals that the applicant by virtue of in situ promotion was working in the pay scale of Rs.1400-2300 as on 1.1.1996. Once it was so, applicant would be entitled to the pay in the corresponding scale on revision of the pay scale and the revised scale is Rs.4500-70000. Our attention has not been drawn towards any order passed whereby persons working in the pay scale of Rs.1400-2300 could be placed in the scale of Rs.5000-8000. Merely because the applicant had served for large number of years would not entitle him to claim higher scale. Resultantly, this matter does not require any further probing. The application must fail and is accordingly dismissed.

V.K.Majotra
(V.K. Majotra)
Member(A)

Y.S. Aggarwal
(Y.S. Aggarwal)
Chairman