

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

This is the 06<sup>th</sup> day of January 2020

**ORIGINAL APPLICATION NO. 330/01287 of 2019**

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)**  
**HON'BLE MS. NAINI JAYASEELAN, MEMBER (A)**

Zahirruddin Siddiqui aged about 72 years Assistant Director (Official Language) (Retd), R/o House No. M. G. 2/23 K.D.A. Colony Jajmau Kanpur Nagar. ....Applicant.

**VER S U S**

1. Union of India through the Secretary, Ministry of Finance, Department of Revenue, Government of India, New Delhi.
2. The Chairman, Central Board of Direct Taxes, Ministry of Finance, Department of Revenue, North Block, New Delhi.
3. The Additional Director General (Income Tax), Directorate of Income Tax, (PR, PP & OL) 6<sup>th</sup> Floor, Mayur Bhawan, Connaught Circus, New Delhi.
4. The Chief Commissioner of Income Tax Civil Lines, Kanpur.  
.....Respondents

Advocate for the Applicants : Shri A. K. Singh

Advocate for the Respondents : Shri D. S. Shukla

**ORDER**

**DELIVERED BY HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (A)**

Heard A. K. Singh, learned counsel for the applicant and Shri D.

S. Shukla, learned counsel for the respondents.

2. This Original Application (O.A.) has been filed for revision of pay scale from particular date. The applicant believes that he has not

been given suitable upgradation, therefore, this is recurring cause of action.

3. This O.A. No. 330/01287/2019 has been filed for following reliefs:-

*A. Issue a suitable order or direction in the nature of mandamus commanding the respondents to up-grade the scale of pay of the applicant as per the direction of the Hon'ble Supreme Court order dated 25.07.2013 with the translators notionally from 01.01.1996 with the actual payment into higher pay scale from 11.02.2003 including all consequential benefits.*

*B. Issue any other and further writ, order or directions; which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*

4. Evidently, the O.A. is directed against the stated inaction of respondents by which the applicant has not been given benefit of pay scale of Rs. 5500-9000, 6500-10500/, and 7500-12000/- respectively as per the order of the Hon'ble Supreme Court dated 25.07.2013 with the translators notionally from 01.01.1996 with the actual payment into higher pay scale from 11.2.2003 including all consequential benefits as per O.M. No. 70/11/2000 IC dated 14.07.2003 issued by Ministry of Finance, Department of Expenditure (Implementation Cell).

5. The applicant has submitted that he has made representation to the respondent No. 3 on 29.07.2019 which is still pending before the respondents.

6. Counsel for applicant has stated that in similar cases, similar benefits have been given to other applicants by various benches of

this Tribunal. He has also submitted that these judgments were upheld by the Hon'ble High Court and finally by the Hon'ble Apex Court on 02.07.2013 and 25.07.2013.

7. Counsel for the applicant contends that he will be satisfied if the case of applicant is also decided in the light of the aforesaid judgments and other judgments passed by the various benches of Hon'ble High Court and Hon'ble Apex Court.

8. Accordingly, respondents are directed to decide the representation dated 29.07.2019 (Annexure -11 to the O. A.) within a period of four months from the date of receipt of certified copy of this order, under law. It is made clear that we have not expressed any opinion on the merit of the case.

9. With the aforesaid direction the O.A. is disposed off. No order as to costs.

**(Naini Jayaseelan)**  
**Member -A**

**(Rakesh Sagar Jain)**  
**MEMBER-J**

/Shashi/