

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

OA/20/1064/2019

HYDERABAD, this the 20TH DAY OF JANUARY 2020

Hon'ble Mr. ASHISH KALIA, MEMBER (J)

Hon'ble Mr. B.V. SUDHAKAR, MEMBER (A)

PILLI DASU,
S/o Late Pilli Appayya,
Aged 62 years,
Occ: Retired employee,
R/o H.No.4-1-245, KSR Comfort House,
F-Block, 508, H.B.Colony,
Near Marathi School,
Purushothapuram, Pendurthi,
Visakhapatnam 530051, A.P.

... **Applicant**



(By advocate: Mrs. Anita Swain)

Vs.

1. The Union of India rep. by its Secretary,
Ministry of Defence, South Block,
New Delhi 110 011,
2. The Director of Civilian Personnel,
Integrated Headquarters,
Ministry of Defence, South Block,
New Delhi 110 001,
3. The Director General of Naval Armament Inspection,
Integrated Headquarters,
Ministry of Defence (Navy),
West Block-V, Wing 1 FF, R.K.Puram,
New Delhi 110 066,
4. The Flag Officer Commanding in Chief,
For CCPO, Head quarters,
Eastern Naval Command,
Visakhapatnam 530 014.

Respondents

(By advocate: Mr. M. Venkata Swamy, Addl. CGSC)

ORAL ORDER

PER HON'BLE Mr. ASHISH KALIA, MEMBER (J)

This Original Application was filed under section 19 of the Administrative Tribunals Act, 1985 praying for the following relief(s):

“To declare the action of the respondents in not placing the applicant in the pay scale Rs.5500-9000 on par with NSRY employees inspite of the Hon’ble Kerala High Court order in OP(CAT)/213/2017 dated 20.07.2017 & batch and the same was implemented to those applicants who are in lis, is illegal arbitrary, discriminatory and violation of article 14, 16 and 21 of the constitution apart from violation of natural justice (ii) Hence direct the respondents to grant him the pay scale of Rs.5500-9000 instead of Rs.5000-8000 w.e.f. 1.1.1996 and consequently direct the respondents to release the arrears amounts after fixation of pay scale together with interest at the rate of 12 % per annum with quarterly rests from the date on which the same has become due and payable till the date of actual payment with all consequential benefits thereon. (iii) Further declare that the applicant is entitled for the costs of the litigation thrust on him by the respondents not extending the benefits.”

2. Brief facts as submitted in the OA are as follows:

Applicant joined as Senior Chargeman (Mech) in respondents' organization in the pay scale of Rs.1400-2300. On implementation of Vth Central Pay Commission, Senior Chargemen were redesignated as Chargemen-II and placed in the pay scale of Rs. 5000-8000 with effect from 1.1.1996 instead of Rs.5500-9000 which is the corresponding pay



scale of Rs.1400-2300, whereas the Senior Chargemen (AWS) of Naval Armament Supply Organisation (NASO) were granted the pay scale of Rs.5500-9000 and redesignated as Chargemen (AWS) w.e.f. 1.1.1996. This arose the anomalous situation and hence the present OA.

3. Respondents have not filed reply statement.

4. We heard Mrs. Anita Swain, learned counsel for the applicant and Mr. M.Venkataswamy, learned standing counsel for the respondents.

5. Applicant, as stated by the learned counsel, is similarly situated to the applicants in OA/21/1259/2018 wherein, this Tribunal has directed, vide order dated 24.10.2019, after relying on the judgments of Hon'ble Supreme Court, as under:

“III. Therefore, keeping the aforementioned circumstances in view and the law on the subject, respondents are directed to examine and consider granting relief to the applicants as sought for, in a period of six months from the date of receipt of this order, by issuing a speaking and well reasoned order.”

6. In view of this, we hereby extend the benefit of the judgment to the present original applicant also.



7. Time for compliance is four months from the date of receipt of this order.

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8. OA accordingly disposed of.

9. There shall be no order as to costs.

(B V SUDHAKAR)
MEMBER (A)

(ASHISH KALIA)
MEMBER (J)

vsn

