

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

O.A. No. 321/2014

Date of decision: 10.01.2020

**Hon'ble Mr. Suresh Kumar Monga, Member (J)
Hon'ble Mr. A. Mukhopadhyaya, Member (A)**

Shri K.M.Bairwa s/o shri C.M.Bairwa, aged about 67 years, r/o B-129, Mahesh Nagar, Jaipur-15, presently retired as Sr. AO from o/o Principal Controller of Defence Accounts (SWC), Khatipura Road, Jaipur-12.

...Applicant.

(By Advocate: Shri P.N.Jatti with Ms.A.B.Jatti)

Versus

1. Union of India through the Secretary to the Govt. of India, Ministry of Defense, South Block, New Delhi.
2. The Financial Advisor Cum Secretary (FADS) Ministry of Defense, South Block, New Delhi.
3. The Controller General of Defense Accounts, Ulan Batar Marg, Palam, Delhi Cantt.
4. Principal Controller of Defence Accounts (SWC), Khatipura Road, Jaipur-12.

...Respondents.

(By Advocate: Shri N.C.Goyal)

ORDER (ORAL)

Per: Suresh Kumar Monga, Member (J):

The present original application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

"8.1 That by a suitable writ/order or the directions the respondents be directed to step up the pay and allowances of the applicant at par with their juniors and similarly situated employees and the benefit in WP no.3435/2013 in OA no.1979/2011

(2)

be implemented to the applicant with all the consequential benefits.

8.2 Any other relief which the Hon'ble bench deems fit."

2. At the very outset, learned counsel for the respondents pointed out that the issue involved in the present Original Application has already been decided by the Principal Bench of this Tribunal in OA No.3918/2013 with OA No.4212/2013 vide its order dated 15th September, 2015 as well as by the Hon'ble High Court of Kerala at Ernakulam in OP (CAT) No.446/2012 (Z) vide its order dated 09th July, 2015 and, therefore, the Original Application is liable to be dismissed in the light of those judgements. The fact as stated by learned counsel for the respondents has not been disputed by learned counsel for the applicant.

3. In view of the above, the Original Application is dismissed. However, there shall be no order as to costs.

(A.Mukhopadhyaya)
Member (A)

(Suresh Kumar Monga)
Member (J)

/kdr/