

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No. 1218/2001

New Delhi, this the 14th day of the May, 2001

HON'BLE MR. S.A.T.RIZVI, MEMBER (A)

1. Smt. Chander Kanta,  
PGT (Hindi) Retd. on 31.12.97  
from C.G.S.S. School No.2  
Najafgarh,  
New Delhi-110043  
R/o A-291, Vikaspuri, New Delhi:18
2. Smt. Usha Khanna,  
PGT (English) Retd. on 31.12.98  
from C.G.S.S. School No.2  
Najafgarh,  
New Delhi : 110 043  
R/o A-1/69, Janakpuri,  
New Delhi - 110 058      ... Applicants  
(By Advocate : Shri B.S. Jain)

V E R S U S

Union of India through

1. Deptt. of Expenditure,  
Min. of Finance, New Delhi:110001
2. Govt. of N.C.T., Delhi  
Through Chief Secretary, Delhi  
5, Sham Nath Road, Delhi
3. Director of Education,  
N.C.T. of Delhi, Old Sectt.  
Delhi
4. Dy. Director of Education,  
West Zone, NCT of Delhi,  
Vikaspuri,  
New Delhi-110 018
5. Principal, Govt. Girls Sr. Sec. School  
No.2, Najafgarh,  
New Delhi:110 043      ... Respondents  
(By Advocate: None)

O R D E R (ORAL)

By S.A.T. RIZVI, MEMBER(A) :

Heard the learned counsel.

2. The applicants in this OA superannuated  
respectively on 31.12.1997 and 31.12.1998. Both  
were <sup>then</sup> ~~2~~ stagnating at the ~~highest~~ point in the

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pre-revised pay scales and had been granted stagnation increments. Each one of them was granted two stagnation increments. The grievance made out is that following the implementation of the 5th Central Pay Commission's recommendations their monthly salaries were not properly fixed by granting additional increments in accordance with the rules as clarified by the Ministry of Finance in their OM of 2nd April, 1998 (Annexure A-2). The applicants have filed representations in the matter on 22.3.2000 and 3.2.2001 respectively without any response from the respondents. The learned counsel submits that two other similarly placed officials namely, S/Shri Bhim Singh and Y.P. Dua have been granted increments in accordance with the aforesaid clarification and, therefore, this is a case of hostile discrimination also.

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3. In the facts and circumstances of this case as revealed in the OA and in the light of the various pleas advanced by the learned counsel appearing on behalf of the applicants, I am inclined to take the view that the ends of justice will be fully met in this case by disposing of this OA at this very stage even without issuing notices by directing the respondents to dispose of the representations filed by the applicants having regard to the clarifications issued by the Ministry of Finance on 2.4.1998 and also keeping in view the decision already taken in the case of S/Shri Bhim Singh and Y.P. Dua. The respondents are directed accordingly. They will dispose of the representations within a period of two months from

the date of service of a copy of this order. In the event of the order being adverse to the applicants, the respondents will assign detailed reasons for the same and pass a speaking order.

4. The OA is disposed of in the aforesated terms.

5. Registry is directed to send a copy of the OA to the respondents along with this order.



(S.A.T. RIZVI)  
MEMBER (A)

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