

Central Administrative Tribunal, Principal Bench

1. OA No.1549/99
2. OA No.1590/99

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New Delhi this the 19th day of April, 2000.

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman  
Hon'ble Mrs. Shanta Shastry, Member (Admnv)

OA No.1549/99

Sh. A.L. Gogna,  
S/o Sh. M.R. Gogna,  
R/o 52, Shastri Park,  
Gali No.3, Chander Nagar Road,  
Delhi-110 051.

...Applicant

(By Advocate Shri Mohinder Madan)

-Versus-

1. Govt. of NCT of Delhi,  
5, Shamnath Marg, New Delhi  
through Chief Secretary.
2. The Director,  
Directorate f Technical Education,  
Govt. of NCT of Delhi,  
C Block, Vikas Bhawan,  
Delhi-110 002.
3. The Principal,  
Pusa Polytechnic,  
Pusa, New Delhi.
4. Union of India through  
Secretary, Ministry of HRD,  
Shastri Bhawan,  
New Delhi.

...Respondents

(By Advocate Mrs. Neelam Singh)

OA No.1590/99

Sh. K.L. Gauba,  
S/o Sh. Khem Chand,  
R/o H.P. 138, Pitampura,  
Delhi-110 034.

...Applicant

(By Advocate Shri Mohinder Madan)

-Versus-

1. Govt. of NCT of Delhi,  
5, Shamnath Marg, New Delhi  
through Chief Secretary.
2. The Director,  
Directorate f Technical Education,  
Govt. of NCT of Delhi,  
C Block, Vikas Bhawan,  
Delhi-110 002.

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3. The Principal,  
Pusa Polytechnic,  
Pusa, New Delhi.
4. Union of India through  
Secretary, Ministry of HRD,  
Shastri Bhawan,  
New Delhi.

...Respondents

(By Advocate Mrs. Neelam Singh)

O R D E R (ORAL)By Reddy, J.-

These matters involve common question of law and facts. Hence, they are disposed of by a common order.

2. The applicants were regular employees of Pusa Polytechnic since 1963. Their pay scale was subsequently refixed as Rs.440-750 w.e.f. 1.1.73. The pay scale of the applicants was revised as Rs.1640-2900 w.e.f. 1.1.92 and the pay was Rs.9,000/- in the pay scale of Rs.5500-9000 w.e.f. 1.1.96. The applicants retired in 1996. The grievance of the applicants is that the pay of their juniors viz. S/Sh. Swaran Singh and V. Swaminathan who are at serial No.27 and 28 in the final list was fixed w.e.f. 7.3.74 and 1.5.76, by order dated 20.4.85 in the scale of Rs.740-880. The applicants, therefore, submit that being seniors they are entitled for stepping up of their pay at par with their juniors, w.e.f. 7.3.74 in the scale of Rs.740-880.

3. The respondents plead that the OA is barred by limitation and submit that the applicants juniors Swarn Singh and Swaminathan were given selection grade and hence the applicants were not eligible for the higher pay scale.

CAB

4. We have considered the arguments of both sides. It appears that these matters are stale and suffer from laches. The grievance of the applicants arose in 1985 when by order dated 20.4.85, their juniors were alleged to have <sup>been</sup> given special pay. w.e.f. 1974, the OAs are filed after 14 years from the date the cause of action arose.

5. However, in view of the statements made by the respondents in a similar matter in OA No.613/95, stating that the respondents are taking steps to step up the pay of the applicants also to be in accord with the pay of his <sup>junior</sup> juniors Swarn Singh and Swaminathan, we direct the respondents to take expeditious steps and pass appropriate orders within three months from the date of receipt of a copy of this order.

6. With this direction, both the OAs are disposed of. No costs.

*sd/*  
(Smt. Shanta Shastry)  
Member (Admnv)

*sdh*  
(V. Rajagopala Reddy)  
Vice-Chairman (J)

'San.'

*Original Judgment placed in 1543/99*

*Attorney*

*C. A. Subramanyam*

*25/4/2002*  
*C. O. C. A.*

(10-A)

4. We have considered the arguments of both sides. It appears that these matters are stale and suffer from laches. The grievance of the applicants arose in 1985 when by order dated 20.4.85, their juniors were alleged to have <sup>been</sup> given special pay. w.e.f. 1974, the OAs are filed after 14 years from the date the cause of action arose.

5. However, in view of the statements made by the respondents in a similar matter in OA No.613/95, stating that the respondents are taking steps to step up the pay of the applicants also to be in accord with the pay of his juniors Swarn Singh and Swaminathan, we direct the respondents to take expeditious steps and pass appropriate orders within three months from the date of receipt of a copy of this order.

6. With this direction, both the OAs are disposed of. No costs.

*Sd/-*  
(Smt. Shanta Shastry)  
Member (Admnv)

*Sd/-*  
(V. Rajagopala Reddy)  
Vice-Chairman (J)

'San.'

Original Judgment placed in OA 1545/98

*Attestation*

*C. A. Srinivasan*

*25/4/2002*  
*C. O. C.D.*