

(21)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 2498/1999

New Delhi: this the 7<sup>th</sup> day of September, 2001.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A)

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. Mrs. Neelam Singh Raisi,  
W/o Shri H.S. Raisi,  
R/o WZ-28 3/10, West Block,  
Vishnu Garden,  
New Delhi-18.

2. Mrs. Poonam Jain,  
W/o Shri S. K. Jain,  
R/o 68, Vishwas Road,  
Vishwas Nagar,  
Corner Yudhishtar Gali,  
Delhi-32.

3. Mrs. Nutan Duggal,  
W/o Shri Pawan Duggal,  
R/o H-13, Malka Ganj,  
Delhi-7

All employed as Physical Education  
Teachers in the Directorate of  
Education, Govt. of NCT of Delhi.

.....Applicants.

(By Advocate: Shri B.B. Raval)

Versus

1. Govt. of NCT of Delhi,  
through the Chief Secretary,  
Old Secretariat,  
Delhi.

2. The Director of Education,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Delhi.

....Respondents.

(By Advocate: Proxy Shri Madan Mohit for Mrs. A. Ahlawat)

ORDER

S. R. Adige, VC (A):

Applicants seek placement in the scale of  
Rs. 440-750/- with effect from the date of their initial  
appointment i.e. 27.3.82 with consequential benefits.

2. Heard both sides.

3. Admittedly by letter dated 27.3.82 (Annexure-A3) the pay scale of PETs, such as applicants, was upgraded from Rs.425-640 to Rs.440-750. The above orders were applicable w.e.f. 5.5.81. One of the conditions prescribed in that letter was that the incumbents must have rendered 3 years' service in the junior cadre i.e. in the lower grade of Rs.425-640.

4. As applicants admittedly were appointed on 27.3.82, which was the very day the aforesaid letter was issued, manifestly they did not have 3 years' service on 27.3.82 let alone 5.5.81.

5. Applicants have relied upon respondents' order dated 30.9.94 (Annexure-A4) when the benefits claimed by them were granted to Shri K.L.Rana and Smt.Krishna Malik, but that order dated 30.9.94 was subsequently cancelled by respondents' subsequent order dated 9.8.99 (Annexure-R1), even before the present OA was filed on 22.11.99.

6. Under the circumstance, neither respondents' letter dated 27.3.82 nor their order dated 30.9.94 (which was subsequently cancelled by letter dated 9.8.99) helps applicants.

7. The OA warrants no interference. It is dismissed. No costs.

A.Vedavalli  
(Dr.A.Vedavalli )  
Member(J)

S.R.Adige  
(S.R.Adige)  
Vice Chairman(A)