

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

15

CP NO. 342/2000
OA NO. 1549/1999

New Delhi, this the 23rd November 2000

Hon'ble shri Justice V Rajagopala Reddy, Vice Chairman(J)
Hon'ble Shri Govindan S. Tamai Member (A)

Shri A L Gogna, S/O Sh. M R Gogna, R/o 52,
Shashtri Park, Gali No.3,
Chander Nagar Road, Delhi 110 051
and

Shri K L Gauba, S/O L. Sh. Khem Chand,
R/O H.P.138, Pitampura, Delhi-110034
.....Petitioners.
(By Advocate Shri Mohinder Madan)

Vs

1. Shri P S Bhatnagar,
Chief Secretary,
Govt of NCT of Delhi,
5 Shamnath Marg , New Delhi
2. Shri B B Saxena, Director,
Directorate of Technical Education,
Government of NCT of Delhi
C Block, Vikas Bhawan,
Delhi 110 002

Also at:
Muni Maya Marg, Pitampura, Delhi

3. Shri V. Narayana, Principal,
Pusa Polytechnic,
Pusa, New Delhi
4. Shri M K Kaw, Secretary,
Union of India
Shastri Bhawan,
New Delhi

.....Respondents

(By Advocate Mrs. Neelam Singh)

O R D E R (ORAL)

Shri V. Rajagopala Reddy, VC(J)

The CP is filed complaining that the
following directions in the OA were not carried out:

"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

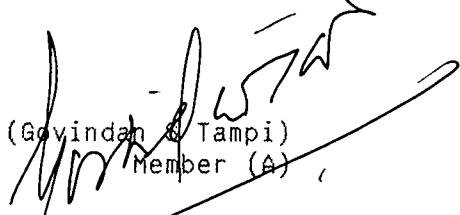
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respondents to take expeditious steps and pass appropriate orders within three months from the date of receipt of a copy of this order."

2. In the reply it is stated that in pursuance

of the directions given by the Tribunal, the question of stepping up of pay has been examined and it was found that there was no decision for stepping up of the pay of petitioner to be in accordance with the pay of S/Shri Swaran Singh and V Swami Nathan as it is found that the petitioner occupied 22nd position whereas Swaran Singh and V Swami Nathan were at Sr No. 10 and 14 respectively in the seniority list and hence the petitioners are not entitled for the stepping up of pay.

3. The petitioners contend that as there was a specific finding that they are entitled for stepping up of pay, it should be considered with by the respondents at all costs. But we found from the judgment that there is no finding that petitioners are seniors to Swaran Singh and V Swami Nathan. In the absence of any findings as to the petitioner being senior to Swaran Singh and Swaminathan it cannot be said that the orders passed by the Respondent are violative of the orders of the Tribunal. It is however, open to the petitioner, if he doubts the validity of the order or the seniority list, to file a fresh OA. The CP is therefore, dismissed.


(Govindan S Tampi)
Member (A)

Patwai/


(V. Rajagopala Reddy)
VC(J)