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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2289/98

New Delhi this the 20th day of October, 2000.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavalli, Member(J)

1. Mrs. S.K. Vij,
W/o Sh. S.C. Vij,
R/o EDT/37 Sarojini Ngr.,
New Delhi.
2. Dharam Paul,
S/o Piara Singh,
R/o H.No.16, Meethapur,
Badarpur, New Delhi.
3. Mrs. H.K. Bhatia,
W/o H.S. Bhatia,
R/o 1/17B Jungpura,
New Delhi.
4. Mrs. Magdali Lakra,
W/o Vincent Lakra,
R/o C/1136 Netaji Nagar,
New Delhi.
5. Mrs. Saroj Narchai,
W/o Sh. N.K. Narchai,
R/o 294/Sec.8 Faridabad.
6. Mrs. Sudesh Dewan,
W/o Sh. M.C. Dewan,
R/o D-54 Hauz Khas,
New Delhi.
7. Sh. Rama Shankar,
S/o Sh. Ram Dahin,
R/o 140/9 M.B. Road,
New Delhi.
8. Mrs. Sneh Lata Mehta,
W/o Sh. C.L. Mehta,
R/o GH/2-111/C,
Paschim Vihar,
New Delhi.
9. Mrs. Lavin Jain,
W/o Sh. V.K. Jain,
R/o B-160, Motibagh,
New Delhi.
10. Mrs. Santosh Kumari,
W/o Sh. Rajendra Kumar,
R/o 3114, Kalakaji Extn.,
New Delhi. Applicants

(through Sh. Deepak Verma, Advocate)

Versus

1. Union of India through the Secretary, Deptt. of Statistics, Ministry of Planning & P.I., Sardar Patel Bhawan, New Delhi.
2. The Secretary, Deptt. of Expenditure, Ministry of Finance, North Block, New Delhi.
3. The Executive Director/DDG, Computer Centre, Deptt. of Statistics, East Block 10, R.K. Puram, New Delhi. Respondents

(through Sh. R.P. Aggarwal, Advocate)

ORDER(ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Applicants seek re-fixation of their pay scales w.e.f. 01.01.1986 instead of 11.09.1989 as done in the case of applicants in OA-1599/97 (Mrs. Saroj Kapoor & Ors. Vs. U.O.I. & Ors.) with consequential monetary benefits.

2. Respondents' counsel Sh. Aggarwal has stated that as the present O.A. was filed on 18.11.98, in the event that the Bench is inclined to grant applicants the relief prayed for, only notional financial benefits should be given from 01.01.86 and actual financial benefits from the date of filing of the O.A.

3. In this connection, he relies upon the Tribunal's order dated 21.01.2000 in OA-2449/98 (R.K. Vadhera & Ors. Vs. U.O.I. & Ors.).

4. Applicants' counsel Shri Verma has, however, invited our attention to the CAT Full Bench decision dated 31.07.2000 (Babu Lal & Ors. Vs. U.O.I. & Ors.) where the question whether EDP staff working in different departments are entitled to parity in the pay scales with other EDP staff who have been granted pay scale w.e.f. 01.01.86 or w.e.f. 11.09.89, as had been granted to them by the OM dated 11.10.89 was discussed. The Full Bench in its order dated 31.07.2000 allowed the O.A. and held that the applicants would be entitled to grant of benefits of the aforesaid O.M. dated 11.10.89 w.e.f. 01.01.86 with all consequential benefits. One of us (S.R. Adige, VC(A)) was a party to the aforesaid order dated 31.07.2000 in Babu Lal's case (supra).

5. That apart it is not denied that applicants in the present O.A. are identically placed as applicants in OA No.1599/97 who were granted the benefits of the revised scale w.e.f. 1.1.86 pursuant to the Tribunal's order of 18.05.98, ^{That} in that OA being so, any distinction drawn between the present applicants and those in OA-1599/97 with regard to the date of admissibility of benefits would itself be discriminatory & violative of Articles 14 & 16 of the Constitution.

6. The OA therefore succeeds and is allowed. Respondents are directed to grant applicants the revised pay scales w.e.f. 1.1.86 instead of 11.09.89 and refix their pay accordingly and distribute to them the

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consequential monetary benefits from such refixation within 3 months from the date of receipt of a copy of this order.

No costs.

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

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