

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

OA No. 899/98

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New Delhi : this the 28<sup>th</sup> day of September, 2000.

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

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

S.N. Misra,

R/o 24-B, Railway Colony,  
Tilak Bridge,

New Delhi.

working in RCT,  
2-Rajpur Road,

Delhi-54

.....Applicant.

(By Advocate: Shri Neeraj Shekhar)

Versus

Chairman,

Railway Claims Tribunal,

2, Rajpur Road,

Delhi-54

2. Registrar,

RCT,

2-Rajpur Road,

Delhi-

3. Addl. Registrar,

RCT,

2-Rajpur Road,

Delhi-54

.....Respondents.

(By Advocate: Shri R.L. Dhawan)

ORDER

Mr. S.R. Adige, VC(A):

Heard both sides.

2. Admittedly, upon being selected by Notice dated 4.11.93 (Annexure-III) applicant joined duty in the Railway Claims Tribunal as O.S.II (Rs. 1600-2660) on 15.11.93 vide Notice dated 16.11.93 (Annexure-IV). Applicant himself does not deny that thereafter, upon repatriation of a Court Master to his parent department, applicant was called upon to work as

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Court Master (Rs. 1600-2660) against the vacant post of Court Master, by order dated 17.5.95 (Annexure-V).

3. Pursuant to the 5th pay Commission's recommendation, the pay scale of the post of OS II was revised to Rs. 5500-9000 w.e.f. 1.1.96. However the pay scale of the post of Court Master was revised to Rs. 5000-8000.

4. Applicant is legally entitled to the pay scale of the post he has worked against. He himself in his representation dated 9.1.98 (Annexure-VI) states that he has worked as Court Master when the 5th pay Commission's recommendations came into effect. Under the circumstance, respondents cannot be said to have acted illegally or arbitrarily in paying applicant in the scale of Rs. 5000-8000 for the period he worked as Court Master in Railway Claims Tribunal till his repatriation to his parent department.

5. The OA is therefore dismissed. No costs.

*A. V. Vedavalli*  
( DR. A. VEDAVALLI )  
MEMBER (J)

*S. R. Adige*  
( S. R. ADIGE )  
VICE CHAIRMAN (A).

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