

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1349 of 1996

New Delhi, dated this the 2nd AUGUST 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. KULDIP SINGH, MEMBER (J)

Dr. Dinesh Kumar Verma,
S/o Shri M.R. Verma,
Dy. Assessor & Collector,
Municipal Corporation of Delhi,
16, IRS Officers Flats,
Prasad Nagar,
New Delhi-110005.

(20) **Applicant**

(By Advocate: Shri B.T. Kaul)

Versus

Union of India through
the Secretary,
Ministry of Finance,
Dept. of Revenue,
North Block,
New Delhi.

(b) **Respondent**

(By Advocate: Shri R.R. Bharti)

ORDER

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

Applicant impugns respondents' order dated 5.6.95
(Annexure-A I) rejecting his claim for pay protection
and payment of arrears of pay.

1. Applicant was appointed as a Medical Officer
in Govt. of Punjab and joined the said post on 31.3.79.
While serving as Medical Officer he appeared in the IAS
etc. Exam, 1983 and upon being allotted to the Indian
Revenue Service joined that service on 15.1.85 as a
probationer. Applicant claims that as he was already
drawing a basic pay of Rs.12000/- p.m. as Medical Officer
with the Punjab Govt, respondents should have protected
that pay upon his joining as a probationer as IRS.

2. Applicant's counsel has not cited any rule or
instruction compelling respondents to protect the pay
drawn by applicant as Medical Officer upon his joining
IRS as a probationer. Indeed respondents state that
applicant's pay as a probationer in IRS would be governed

by FR 22 B(i) (a), and as applicant did not hold a
lien on the post of Medical Officer under Punjab
Govt., he does not get the benefit of the proviso
to FR 22 B(i) (a).

4. In the light of the contents of FR 22B(i) (a)
we find ourselves unable to grant applicant the
relief prayed for and reliance upon the ruling in
1994 Suppl. (2) SCC 548 cited by applicant's counsel
does not advance applicant's case.

5. The OA is dismissed. No costs.

Kuldeep
(KULDIP SINGH)
MEMBER (J)

Anil
(S.R. ADIGE)
VICE CHAIRMAN (A).

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