

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench

O.A. No. 1349 of 1996

New Delhi, dated this the 2<sup>nd</sup> 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.

Applicant

(By Advocate: Shri B.T. Kaul)

Versus

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

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.

2. 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.

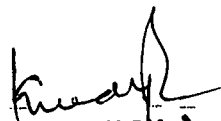
3. Applicant's counsel has not cited any rule or  
instruction compelling respondents to protect the pay  
drawn by applicant as Medical Officer upon his joining  
IRS as a probationer. Indeed respondents state that  
applicant's pay as a probationer in IRS would be governed

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by FR 22 B(1) (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(1) (a).

4. In the light of the contents of FR 22B(1) (a) we find ourselves unable to grant applicant the relief prayed for and reliance upon the ruling in 1994 Supple. (2) SCC 548 cited by applicant's counsel does not advance applicant's case.

5. The OA is dismissed. No costs.

  
( KULDIP SINGH )  
MEMBER (J)

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

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