

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.444/96

New Delhi this the 22nd day of July 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (A)

1. Smt. Prem Lata Magoo
W/o Sh.Gulshan Rai Magoo
E-12/5 Krishan Nagar
Delhi-110 051.
2. Smt. Sushma Puri
W/o Sh.S.K.Puri
A-177, Sudarshan Park
Moti Nagar
New Delhi-110 015.
3. Smt. Anita Sodhi
W/o R.K.Sodhi
C6A/3C Janakpuri
New Delhi-110 058.
4. Smt. Neelam Sardana
W/o Sh.H.C.Sardana
61/8 Old Rajinder Nagar
Delhi-110 060.
5. Smt.Prem Lata Bhutani
W/o Sh.Shankar Lal Bhutani
C-5B/6B Janakpuri
New Delhi.
6. Smt. Kanta Datta
W/o Sh.I.J.K.Datta
23A/15A, Tilak Nagar
New Delhi-110018.
7. Smt Sudesh Anand
W/o Sh. H.C.Anand
House No.8, New Lahore Extension
Gali No.11 Shastri Nagar
Delhi-110 031.
8. Sh. Ram Kumar Sharma
S/o Sh.Maha Singh
A/34 Vijay Park
Najafgarh
New Delhi-110043.

...Applicants.

(By Advocate: Sh. M.L.Ohri)

Versus

Union of India through

1. Secretary
Ministry of Finance
Department of Revenue
North Block, New Delhi.

2. Secretary
Ministry of Personnel, Public Grievances
& Pensions
Dept. of Personnel & Training
New Delhi.
3. The Director General
Dte of Revenue Intelligence
'D' Block, Indraprastha Bhawan (7th floor)
Indraprastha Estate
New Delhi. ...Respondents.

(By Advocate: Sh.K.R.Sachdeva)

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

The applicants who are working as Stenographers Grade II in the Directorate of Revenue Intelligence are aggrieved by the fact that they are not being given the pay scale of Rs. 1640-60-2600-EB-75-2900 with effect from 1.1.1986 though this scale has been given to Stenographers Grade 'C' of Central Secretariate Stenographers Service, although the applicants are also performing duties which are similar in nature as that of Stenographers Grade 'C'. Their representation claiming extension to them the pay scale of Rs. 1640-2900 was rejected by the respondents by order dated 7th January 1991. They made further representation for which they did not get a reply. However, now alleging that a similar issue has been decided by the Tribunal in OAs Nos.144A/93, 985/93 and 548/94 and that in the light of the principle laid down in that case, ~~in the same case~~ they are also entitled to get the same pay scale with retrospective effect, the applicants have filed this application claiming extension to them the pay scale of Rs. 1640 w.e.f. 1.1.86 with consequential benefits.



2. The respondents oppose admission of the application as on the grant of prayer, it is contended that the application is barred by limitation and also contended that on merits, the applicants have no case. The applicants have, by way of abundant caution, filed MA No. 472/96 for condonation of delay for which a separate reply has been filed. Today when the application came up for hearing, we find that the claim of the applicants is of a recurring nature and the plea of limitation should not come in the way of their claiming the relief of an extension of pay scale because of recurring cause of action. Therefore, the plea of the respondents that the application is not maintainable as the claim has been barred by limitation is rejected. Now the counsel on either side agree that it would be open for the applicants now to make a representation to the respondents to consider their claim for extension of pay scale in the light of the ruling given by the Tribunal in OA 144A/93, 985/93 and 548/94 and that the respondents would consider their claim and pass appropriate orders within a reasonable time. In the light of the above submission by the learned counsel at the Bar, we dispose of this application with a direction to the applicants to put forth their claim for extension of pay scale of Rs. 1640-2900 to the respondents within a period of 15 days from the date of receipt of this order, and with a direction to the respondents to consider representation of the applicants in the light of the decision in OA 144A/93, 985/93 and 548/94 of the Principal Bench and to give them a speaking order, if on such a consideration, the respondents extend the pay scale to the applicant, an order in that behalf shall be passed within a period of three months from the date of receipt of their representation. In any case, a speaking order shall be communicated to all the applicants within the said period of 3

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months. Should the applicants feel aggrieved by the outcome of their representation, it would be open for them to seek appropriate relief.



((K.Muthukumar)
Member (A)



(A.V.Haridasan)
Vice Chairman (J)

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