

Central Administrative Tribunal

Principal Bench

....

O.A. No.792/96

New Delhi, this the 17th day of May, 1996

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)
Hon'ble Shri R.K.Ahooja, Member (A)

Shri K.C.Malik,
Stenographer Gr.II
Appellate Tribunal for Forfeited Property
R/o 3112, Mohindra Park, Rani Bagh,
Delhi.

Mrs. Roma Ambwani,
Stenographer Gr.II,
Appellate Tribunal for Forfeited Property,
R/o LIG-54, Jhulelai Society,
Road No.44, Pitampura,
Delhi-35.

....Applicants

(By Shri M.L.Ohri, Advocate)

Versus

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

2. The Secretary
Ministry of Personnel, Public Grievances &
Pensions,
Department of Personnel & Training,
New Delhi.

3. The Chairman,
Appellate Tribunal for Forfeited Property,
4th Floor, Lok Nayak Bhawan,
Khan Market,
New Delhi.

...Respondents

(By Shri R.V.Sinha, Advocate)

O F D E R (ORAL)

By Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

The applicants, two in number, who are Stenographer Gr.II working in the Appellate Tribunal for Forfeited Property, have filed this application together aggrieved by the fact that the

respondents inspite of their representations made earlier did not extend to them the revised pay scale of Rs. 1640-2900/- w.e.f. 1.1.1986, Hence they seek a direction to the respondents to grant them revised pay scale w.e.f. 1.1.1986 with arrears. In the application, it has been alleged that the Principal Bench of this Tribunal had in its order dated 19.1.1996 passed in O.A. No. 114-A/93 and 548/94 ordering the grant of revised pay scale of Rs. 1640-2900/- to similarly situated Assistants and Stenographers and that by order dated 9.2.1996 the respondents had granted the revised pay scale of Rs. 1640-2900/- to the Assistants in the Enforcement Directorate but had not extended the benefit to the applicants though they are similarly situated.

Notice having been issued on this application, Shri R.V. Sinha appeared on behalf of the respondents. Shri Sinha states that the facts which have been mentioned in this application i.e. about the rulings of the Principal Bench of the Tribunal in O.A. No. 144-A/93 and O.A No. 548/94; that the applicants are similarly placed as the applicants in those cases and that the first respondent had on 9.2.1996 granted the pay scale of Rs. 1640-2900/- to Assistants in the Enforcement Directorate, have not been brought to the notice of the respondents by the applicant by making a representation and that if they do so the respondents would consider the representation, in the light of the above said judgements and the instructions ^{by} on the matter and take an appropriate decision within a reasonable time frame. When this suggestion came from the counsel of the respondents, Shri M.L. Ohri, counsel for the applicant states that the applicant would ^{be} satisfied if the application is now disposed of with a direction to the respondents to consider the issue on a representation being made by the applicant within a reasonable time frame.

In the result, in the light of the submissions of the counsel on either side, we dispose of this application with the following directions:-

- (a) the applicant may make a representation to the first respondent through the Head of Office i.e. respondent no. 3 claiming the extension of pay scales stating the grounds on which such claim is made, within a period of two weeks from the date of receipt of a copy of this order;
- (b) on receipt of the said representation, the third respondent shall immediately forward it for consideration by the competent authority and the respondents are directed to consider the claim of the applicants in the light of the decisions of the Tribunal mentioned above and in accordance with law and to pass a speaking order on it within a period of two months from the date of receipt of the representation;
- (c) in case the applicants have reasons to feel aggrieved by the outcome of the representation, they will be at liberty to seek appropriate relief from the courts of competent jurisdiction;
- (d) There is no order as to costs.

(R.K. Ahooja)
Member (A)

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

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