

(b)

Central Administrative Tribunal  
Principal Bench, New Delhi.

✓ OA-851/94 & OA-852/94 ✓

New Delhi this the 25th Day of October, 1994.

Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Shri B. Gangopadhyay,  
S/o late Sh. A. Gangopadhyay,  
Extra Assistant Director/  
Assistant Engineer,  
Central Water Commission,  
Govt. of India,  
New Delhi-66.

Applicant

(through Sh. K.L. Bhandula, advocate)

versus

1. Union of India through  
Secretary to the Govt. of  
India, Minister of Water Resources,  
Shram Shakti Bhavan,  
New Delhi-1.
2. The Chairman,  
Central Water Commission,  
Sewa Bhavan, R.K. Puram,  
New Delhi-66.

Respondents

OA-852/94

Shri S.R. Das,  
S/o late Sh. P.B. Das,  
Assistant Engineer/Extra  
Assistant Director,  
Central Water Commission,  
Govt. of India,  
New Delhi-66.

Applicant

(through Sh. K.L. Bhandula, advocate)

versus

1. Union of India through  
Secretary to the Govt. of  
India, Minister of Water Resources,  
Shram Shakti Bhavan,  
New Delhi-1.
2. The Chairman,  
Central Water Commission,  
Sewa Bhavan, R.K. Puram,  
New Delhi-66.

Respondents

ORDER(ORAL)

delivered by Hon'ble Mr. B.N. Dhoundiyal, Member(A)

These two cases have been taken in the revised  
list. No one is present on behalf of the respondents.  
Vide this Tribunal's order dated 15.9.94, last  
opportunity was given to the respondents to file a reply

In

within four weeks. It was also made clear that if the reply is not filed within the stipulated time, the case will be decided on the available record.

A common issue has been raised in these two O.As. During the period, the applicants went on deputation, some of their juniors were promoted on ad hoc basis. When they returned from deputation, they were promoted on regular basis alongwith their juniors who had been promoted on ad hoc basis during the period when they went on deputation. To bring their emoluments at par with their juniors, stepping up of pay was not allowed. In the case of Sh. B. Gangopadhyay (applicant in OA-851/94), this request was rejected vide impugned letter dated 22.7.1993 and in the case of Sh. S.R. Das (Applicant in OA-852/94) vide impugned letter dated 30.7.1993. These matters are covered by the decision of this Tribunal dated 28.2.1990 in case of P.P. Abdulrahman Vs. Union of India & Others and other connected O.As (OA-1621/89). Thereafter, a number of judgements have been given on similar lines by the various Benches of this Tribunal. In all the cases, the respondents were directed to refix the pay of the applicants at par with the pay fixed in respect of their junior appointed on ad hoc basis when they were on deputation. In these cases also, the respondents shall refix the pay of the applicants at par with their juniors, calculate the arrears and pay the same to the applicants within a period of three months from the date of receipt of copy of this order.

Bv

With these observations, the O.As are disposed  
of finally.

No costs.

original copy in OA 851/94  
Member (A)

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(एस. डी. शर्मा)  
(S.D. SHARMA)

निजी सचिव/Private Secretary  
केन्द्र न मजदूरों का अधिकार  
Central Administrative Tribunal  
प्रधान न्यायपीठ/Principal Bench  
नई दिल्ली/New Delhi.

1/11/84