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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2062/2000

New Delhi this the 5th day of September, 2001

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman(J)
Hon'ble Shri Govindan S.Tampi, Member (A).

Gurdas Ram,
7125761 Head Draftsman,
HQ Tech G EME,
Delhi Cantonment-110010

(By Advocate Sh.K.B.S. Rajan)

.. Applicant

VERSUS

1.Union of India through the
Secretary, Department of Defence
Production, Ministry of Defence
South Block, New Delhi.

2.The Director General
Electrical and Mechanical Engineers,
MGO's Branch, Army Headquarters,
New Delhi-110011

.. Respondents

(By Advocate Shri Madhav Panikar)

O R D E R (ORAL)

(Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman(J)

In this application, the applicant is aggrieved by the rejection of his representation by the respondents' letter dated 11.8.2000. The applicant has prayed for revision of the pay scale as Head Draftsman from the pay scale of Rs 1660-2600 to Rs.2000-3500 w.e.f.February,1987. This is the second round of litigation filed by the applicant. The earlier OA (OA No 781/2000) was disposed of by order dated 4.5.2001. As a result of the orders in that OA, the respondents have passed the order dated 11.8.2000 which has been impugned by the applicant in the present OA.

2. At the outset,Shri K.B.S.Rajan, learned counsel, has fairly submitted that the issues raised in the present OA have been recently dealt with by the Full Bench judgement of the Tribunal(Hyderabad Bench) in Vaitla Laxmi Narayana and

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Ors Vs. Govt. of India represented by Secretary, Ministry of Defence and Ors. (OA 394/1996) which was disposed of by order dated 7.9.1999 (Annexure A-17). Learned counsel had submitted that in the Full Bench judgement, only certain paragraphs of the letter dated 15.11.1995 have been considered. Learned counsel has, therefore, submitted that the facts in the present case can be distinguished. This has been controverted by the respondents in their reply as well as Shri Madhav Panikar, learned counsel. At this stage, Shri K.B.S.Rajan, learned counsel for the applicant appeared and has fairly brought to our notice the order of the Tribunal in All India Naval Draftsman's Association through its General Secretary and Ors. Vs. UOI and Ors (OA 471/1997). We are satisfied that the present case is in all fours with the judgement of the Tribunal in this case.

3. After having perused the relevant documents on record and considering the facts and the action taken by the respondents in this case, together with the aforesaid Full Bench judgement of the Tribunal, we are unable to agree with the contentions of the learned counsel for the applicant. We find that in the impugned order, the respondents have given the reasons for their decision and they have also referred to the Full Bench judgement of the Tribunal dated 7.9.1999. In the facts and circumstances of the case, the stand taken by the respondents cannot be held to be either arbitrary or unreasonable to justify any interference in the matter. Accordingly the claim of the applicant for upgradation of his pay scale from Rs. 1660-2660 to Rs. 2000-3500 w.e.f. February, 1987 cannot be agreed to.

4. In the result, for the reasons given above, the OA fails and is dismissed. No order as to costs.

(Govindan S. Tampli)
Member (A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice Chairman (J)