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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O. A. NO. 834/89

New Delhi this the 22nd day of March, 1994

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

S/Shri

1. Uttam Singh S/O Dharam Singh
2. Kanti Persad S/O Nanak Ram
3. Raghbir Singh S/O Joggi Ram
4. Mom Raj S/O Hothi Lal
5. Om Prakash S/O Munna Lal
6. Ram Kirpa Singh S/O Surya Pal Singh
7. Surbhan Singh S/O Kalyan Singh

All working in the Office of
Central Telegraph Office,
New Delhi.

... Applicants

None for the Applicants

Versus

1. Union of India through
Secretary (Telecommunications),
Ministry of Telecommunications,
New Delhi.
2. The General Manager,
Telecommunications,
Khurshid Lal Bhawan,
New Delhi.

... Respondents

None for the Respondents

O R D E R (CRAL)

Hon'ble Mr. Justice V. S. Malimath -

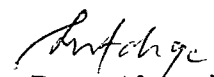
None appeared for the petitioners or for the respondents. As it is a very old case, we consider it proper to look into the records and dispose of the same on the basis of material available.


2. The petitioners claim that they are working under the respondents, Post & Telegraph Department, and do the work of delivering telegrams to the addressees

through the agency of the Telegraph Office. They have in this application prayed for a declaration that they perform same and identical duties as are being performed by the Postmen, and for a declaration that they are entitled to be granted the same scale of pay as has been recommended by the 4th Pay Commission in respect of Postmen, namely, Rs.825-1200. The respondents have filed a reply wherein they have contested the claim of the petitioners and have pleaded that they cannot claim that they are performing duties and functions similar to those of Postmen. The petitioners have not placed any satisfactory material in support of their case that their duties and functions are identical to the duties and functions discharged by the Postmen. The 4th Pay Commission which is an expert body having examined the matter did not find it possible to agree to accord the same scale to the petitioners as was accorded to the Postmen. The opinion of the expert body like the Pay Commission is entitled to be accepted. In the absence of any satisfactory material, it is not possible to interfere with the grant of pay scales based on the opinion of the expert body, that is, Pay Commission.

3. This application fails and is dismissed.

No costs.


(S. R. Adige)
Member (A)


(V. S. Malimath)
Chairman

/as/