



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

**O.A. No.062/877/2020
Diary No. 3972 of 2020**

Tuesday, this the 29th day of September, 2020

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Anand Mathur, Member (A)

1. Abdul Sattar Bakhshi aged about 70 years, S/o Abdul Rehman R/o below Dergund Tehsil Rajpora District Pulwama.
2. Gh. Muhammad Bhat aged 72 years S/o Rahim Bhat R/o Chararipora Tehsil Chararishareif District Budgam.
3. Abdul Gani Lone aged 75 years S/o Gh. Qadir Lone R/o Ratnipora Tehsil Kakapora District Pulwama.
4. Ali Muhammad Sheikh aged 70 years S/o Ghulam Qadir Sheikh R/o Chatapora Pulwama.
5. Abdul Salam Rathar aged 72 years S/o Abdul Razak Rather R/o Ratnipora Tehsil Kakapora District Pulwama.
6. Muhammad Ramzan Lone aged 72 years, S/o Khazir Muhammad Lone R/o Ratnipora Tehsil Kakapora District Pulwama.
7. Gh. Qadir Ganaie aged 73 years S/o Abdul Ahad Ganaie R/o Rakhi Lajoura Pulwama.
8. Muhammad Akber Rather aged 68 years, S/o Abdul Rahim Rather R/o Dangerpora Pulwama.
9. Abdul Sattar Reshi aged 74 years S/o Muhammad Akram R/o Ratnipora Tehsil Kakapora District Pulwama.
10. Ali Muhammad Ganaie aged 70 years S/o Abdul Aziz Ganaie R/o Samboora Pampore.
11. Ghulam Muhammad Dar aged 66 years, S/o Muhammad Ismail Dar R/o Shal Tokuna Tehsil Awantipora Pulwama.
12. Ghulam Ahmad Dar aged 67 years S/o Muhammad Ismail Dar R/o Tumchi Nowpora, Pulwama.
13. Ateeqa aged 60 years W/o Abdul Rashid Wani D/o Abdul Samad Wani R/o Pakherpora Tehsil Charaishareif Budgam.
14. Abdul Razak Hurrah aged 68 years S/o Gh. Muhammad Hurrah R/o Galbugh Ratnipora Tehsil Kakapora Pulwama.
15. Abdul Razak Rather aged 63 years S/o Abdul Gani Rather R/o Hakripora Pulwama.

16. Abdul Salam Mir aged 63 years S/o Shaban Mir R/o Wanpora Pulwama.
17. Muhammad Akram Bhat aged 63 years S/o Abdul Gani Bhat R/o Bellow Dergund Rajpora Pulwama.
18. Bashir Ahmad Bhat aged 63 years S/o Gh. Muhammad Bhat R/o Bellow Dergund Rajpora District Pulwama.

.....Applicants

(Mr. L.A. Latif & Bhat Fayaz Ahmad, Advocates)

Versus

1. Union Territory of Jammu & Kashmir,
Through its Principal Secretary to Government,
Power Development Department,
Civil Secretariat, Srinagar/Jammu,
Email ID: jkpdd9@gmail.com
2. Chief Engineer Kashmir,
Power Development Corporation Ltd.(O&M) Srinagar,
(KPDCL),
Email ID : cemrekmr@gmail.com.in
3. Executive Engineer,
Kashmir Power Development Corporation (O&M) Division,
Pulwama,
Email ID : xenedpulwama@gmail.com.
4. Executive Engineer,
Kashmir Power Development Corporation Ltd (KPDCL),
(O&M), STD Division, Pulwama,
Email ID : xenstdpulwama@gmail.com.

..... Respondents

ORDER (ORAL)

Hon'ble Mr. Anand Mathur, Member (A)

Abdul Sattar Bakshi and seventeen other applicants have jointly filed this O.A. under Section 19 of Administrative Tribunals Act, 1985, seeking direction to the respondents to grant them pre-revised pay scale of Rs.220-430, with all pay revisions from time to time, after their

appointment as Technician-III and adjustment as Line Erectors and other equivalent posts, i.e., Electrician, Telephone Operators, Switch Board Attendance (SBA), Fitters, with all consequential benefits, in view of J & K High Court decision dated 29.07.2013 in LPA No.58/2013 along with clubbed matters.

3. We have heard Shri Bhat Fayaz Ahmad, learned counsel for the applicants and perused the contents of the O.A.

4. Registry to allot O.A. number to this case.

5. The applicants in this O.A. contend that:

(i) They were appointed as Line Erectors, Telephone Operators, SBA, C/Jointer, etc. and have been working as Technician-III in PDD Department in different divisions of Jammu. Many other petitioners filed Writ Petitions in J & K High Court for releasing pay scale of Rs.220-430 (pre-revised) and Rs.4000-6000 (revised), in which they were directed to place the petitioners therein in the revised pay scale of Rs.4000-6000. The decision of Single Bench of J & K High Court was upheld by a Division Bench. SLP Nos. 23074-23075/2014 filed in Hon'ble Supreme Court challenging the J & K High Court decision was dismissed on 10.01.2018. Thereafter, the respondents granted to the petitioners therein the pay scale of Rs.220-430 (pre-revised) in terms of High Court order; and

(ii) the applicants, being similarly placed with those for whom the pay scales have been granted, submitted a representation dated 06.02.2020 to consider their cases in terms of order dated 29.07.2013 in LPA SW No.58/2013 but it has not yet been decided.

6. The applicants' counsel submits that the applicants would be satisfied if the present O.A. is disposed of at this stage, with direction to the respondents to grant the pay scale to them as per aforesaid J & K High Court order.

7. In view of these submissions, the O.A. is disposed of at the admission stage itself, with direction to respondent No.3 (Chief Engineer, J & K Power Development Corporation Ltd., Jammu) to decide the pending representation of the applicants dated 25.06.2020, within three weeks from the date of receipt of a copy of this order, by passing a well-reasoned and speaking order for grant of pay scale of Rs.220-430 (pre-revised) to them as per provisions of relevant Rules and the case law relied upon.

No costs.

(Anand Mathur)
Member (A)
Manish/-

(Rakesh Sagar Jain)
Member (J)