

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 061/32/2021

This the 13th day of January, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

1. Ali Mohd. Waza (aged 62 years) S/o Satar Waza R/o Wathore, TEhsil Chadoora, District Budgam Pincode-191113.
2. Ghulam Rassul Teeli (Wani) (age 65 years) R/o Shaban Teeli R/o Qaisar Mulla, Tehsil Chadoora, District Budgam Pincode-191113.
3. Abdul Gani Wani (age 62 years) S/o Sabir Wani R/o Doyan Tehsil Chadoora, district Budgam, Pincode-191113.
4. Ali Mohd Teeli (age 65 years) S/o Kamal Teeli R/o Qaisar Mulla, Tehsil Chadoora, District Budgam, Pincode-191113.
5. Habib Yatoo (age 63 years) S/o Mohamed Yatoo R/o Tehsil Chadoora, District Budgam Pincode-191113.
6. Jana Begum (age 68 years) W/o Late Gh.Mohi Din Mir, R/o Charari Sharief, District Budgam, Pincode-191112.
7. Bashir Ahmad Mir (age 5 years) S/o Samad Mir, R/o Ruppura, Namtahal, Yariklan, District Budgam Pincode-191113.

.....Applicants

(Advocate: Mr.L.A. Latief)

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. Pincode:-180001.
2. Chief Engineer Kashmir, Power Development Corporation Ltd. (O&M) Srinagar. (KPDCL) Email ID: cemrekmr@gmail.com.in. Pincode:-190001.
3. Executive Engineer, Kashmir Power Development Corporation Ltd. (KPDLC) Electric Division Budgam. Email ID divisionbudgam@yahoo.com Pincode:-191113.

.....Respondents

(Advocate: Mr. Sudesh Magotra, DAG)

O R D E R

[O R A L]

Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member (J): -

Ali Mohd Waza and six 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 Meter Reader, SBA, Electrician, Line Erecter, Telephone Operator, Fitter, Turbine Operator, Mechanics, Installation Inspector, Line Inspector 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 vide LPA No. 105/2013 along with clubbed matters.



3. We have heard Shri L.A. Latief, learned counsel for the applicants and Mr. Sudesh Magotra, learned DAG for the respondents and perused the contents of the O.A.

4. 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 Srinagar. 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 applicants 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 applicants 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 25.06.2020 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.



5. 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.
6. In view of these submissions, the O.A. is disposed of at the admission stage itself, with direction to respondent No.2 i.e. Chief Engineer Kashmir, Power Development Corporation Ltd. (O&M) Srinagar 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)

(RAKESH SAGAR JAIN)
MEMBER (J)

Ak/-