



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

**O.A. No.061/680/2020
M.A No.061/984/2020**

Tuesday, this the 07th day of September, 2020

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Pradeep Kumar, Member (A)

1. BALMUKAND Age 51 years S/o Sh. Daulat Ram R/o Village Thichkar, Kangri Tehsil Sunderbani, District Rajouri PIN Code 185153
2. VIKAS SHARMA Age 35 years S/o Late Sh. Ved Parkash R/o Village Kharoti, Jagir Tehsil & District Reasi PIN Code 182301
3. TAJINDER KUMAR Age 46 years S/o Sh. Bhagat Ram R/o Channi , Sunderbani District Rajouri PIN Code 185153
4. INDERPAUL Age 54 years S/o Sh. Sant Ram R/o Sunderbani, District Rajouri PIN Code 185153
5. AJAY KUMAR Age 41 years S/o Sh. Shalak Ram R/o Village Bakhar, Tehsil Sunderbani District Rajouri PIN Code 185153
6. PANKAJ SHARMA Age 29 years S/o Sh. Om Parkash R/o Thana Pani, Tehsil Sunderbani District Rajouri PIN Code 185153
7. ROHIT RAINA Age 34 years S/o Sh. Yog Raj R/o Village Brehri, Tehsil Kalakote District Rajouri PIN Code 185202
8. PERVINDER KUMAR Age 52 years S/o Late Sh. Kailash Chander R/o Siot Tehsil Siot, District Rajouri Pin Code 185156
9. Jyoti Parkash Age 53 Years S/O Late Sh Kaka Ram R / O Ghai Bhagwal, Sunderbani District Rajouri Pin Code 185131
- 10 . Surjeet Singh Age 32 years S/O Attma Singh R/o Mir Panchari. District - Uddhampur Pin Code 182125

11. Kuldeep Kumar Khajuria Age 31 Years S / O Sh Rattan Chand R/O Village Parnalla Tehsil Billawar District Kathua Pin Code 184204
12. Balbir Kumar Age 36 years S / O Sh Ashok Kumar R / O Village Sinki Camp PO Pangdour Tehsil & District Samba Pin Code 184121
13. Surinder Kumar Age 32 years S/O Late. Sh. Bandhu RAM R / O Ashwani Karyana Store Opp. SICOP Office, Battal Ballian District Udhampur Pin Code 182101.
14. Balbir Kala Age 37 Years S /O Sh Rattan Singh R / O VPO Kangrial, (CAMP) Tehsil & District Jammu Pin Code 181206
15. Kuldeep Raj Age 37 Years S /o Sh Krishan Lal R / O H.No 364, Sector I / P Ext Trikuta Nagar, Jammu Cantt Pin Code 180020.
16. Mohd Yaseen Matoo Age 35 years S / o Khush Mohd R/O Village Chamile Palmar, Tehsil & District Kisthwar Pin Code 182205
17. Khurshid Ahmed Ahangar Age 37 Years S / O Mohd Ahangar R / O KANGAN DISTRICT GANDERBAL Pin Code 191203
18. Bilal Ahmed Wagay Age 39 Years S/O Sh Gh Qadir Wagary R/O Frisal Yaripora Kulgam District Kulgam Pin Code 192232
19. Mohd Ayoub Kumar Age 31 years S/O Mohd Jamal Kumar R / O Gulshanabad, Chrar - I - Sharief District Budgam Pin Code 191111
20. Deepak Pathania Age 40 Years S / O Sh Raj Kumar Pathania R / O VPO Basholi District Kathua Pin Code 184201
21. Banty Lal Age 35 years S/O Sh Des Raj R / O Backon Po Bani Tehsil Bani District Kathua Pin Code 184206
22. Rajesh Kumar Age 32 Years S/O Sh SHER SINGH R / O Dharole VPO Kanthal Tehsil Bani District Kathua Pin Code 184206
23. Ashok Kumar Age 40 Years S / O Sh Titru Ram R / O Village Rehni Po Garhi, Tehsil & District Udhampur Pin Code 181121.
24. Mohd Amin Mir Age 33 years S / OZ. Abdul Razaq Mir R / O Sathura Tral Pulwama (Kashmir) PIN CODE 192123
25. Aijaz Ahmed Age 36 Years S/o Abdul Gani Rather R / O Buchool Balla, Tral (Kashmir) Pin Code 192123
26. Arun Kumar Age 34 Years S / O Sh Tilk Raj Sharma R / O Kanhal Upper Tehsil Bishnah District Jammu Pin Code 181132

27. Rakesh Sharma Age 36 Years S / O Sh Kewal Krishan Sharma R / O Ward No. 5, Jawahar Nagar Rajouri Pin Code 185132

28. Milit Singh Age 33 years S / O Sh. Bahadur Singh R / O Dandi Tehsil Bhaderwah District Doda Pin Code 182222

29. Sanjay Kumar Age 38 Years S / O Sh Khem Raj r / o SOOL Panthal Tehsil Katra District Reasi Pin Code 182320

30. Vishal Khajuria Age 34 Years S / O Sh Kamal Kishore Khajura R/o Ward No. 17, Bhagwati Nagar Kathua Pin Code 184101

31. Javeed Hassan Wani Age 35 years S / O Sh Gh Hassan Wani R / O Panzgam, Awantipora, Pulwama Pin Code 192122

32. Shokat Ali Age 35 Years S / O Fazal Hussain R / O Gurdhan Bala Tehsil & District Rajouri Pin Code 185132

33. Abdul Majeed Ganai Age 59 Years S / O Abdul Jabbar R / O Melan Kisthwar, District Kisthwar. Pin Code 182204

.....Applicants

(Mr. Anil Khajuria, Advocate)

Versus

1. THE UNION TERRITORY OF JAMMU AND KASHMIR,
Through its Principal Secretary to Government,
Power Development Department,
Civil Secretariat, Jammu
2. THE CHIEF ENGINEER,
Electric Maintenance & Rural Electrification Wing, (JPDCL),
Jammu
3. THE CHIEF ENGINEER,
Electric Maintenance & Rural Electrification Wing, (KPDCL),
Srinagar, Kashmir
4. THE CHIEF ENGINEER,
System and Operation Wing, (JPTCL), Jammu
5. THE CHIEF ENGINEER,
Distribution (JPDCL), Jammu.
6. THE CHIEF ENGINEER,
Transmission (JPDCL), Jammu

7. THE MANAGING DIRECTOR
Jammu and Kashmir Power Transmission Corporation Ltd.
(J&K PTCL) Jammu / Srinagar
(Janipur Power House Jammu)
Lottery Building Behind, Civil Secretariat, Srinagar
8. THE MANAGING DIRECTOR.
Jammu Power Distribution Corporation Ltd. (JPDCL), Jammu
9. THE MANAGING DIRECTOR Power Development Corporation
Jammu.
10. THE CHIEF ENGINEER
Electrical Wing,
Baglihar Hydro Electric Project I & II,
Baglihar, Chanderkot, Ramban,
11. THE Executive Engineer, Generation Division PDC,
BHEP - I, Baglihar, Chanderkot , Ramban
12. THE Executive Engineer, Generation Division PDC, BHEP - II,
Baglihar, Chanderkot Ramban
13. THE EXECUTIVE ENGINEER, Electric Maintenance & Rural
Electrification Division, (JPDCL) Rajouri
14. THE EXECUTIVE ENGINEER, Sub Transmission Division - IV
(JPDCL) Kalakote.
15. THE EXECUTIVE ENGINEER,
Electric Maintenance & Rural Electrification Division, (JPDCL)
Kisthwar

..... Respondents

(Mr. Sudesh Magotra)

ORDER (ORAL)

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

1. M.A. No.061/984/2020

M.A. seeking joining together of the applicants in a single petition is allowed.

2. O.A. No.061/680/2020

Mr. Balmukund s/o Mr. Daulat Ram and thirty two 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 perused the contents of the O.A. and heard today Mr. Anil Khajuria, applicants' counsel and Mr. Sudesh Magotra for respondents.

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. We have heard both the counsels and perused the case record.

7. 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.

8. The respondents' counsel has no objection to such disposal of this O.A. at this stage.

9. 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 25.05.2020 and 20.06.2018, 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.

(Pradeep Kumar)
Member (A)

(Rakesh Sagar Jain)
Member (J)

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