



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

**O.A. No.061/821/2020
M.A No.061/984/2020**

Monday, this the 21st day of September, 2020

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

1. Balwinder Singh s/o Charan Singh, R/o Village Gole Gujral, Tehsil and District Jammu – 180002 Age 44 years.
2. Parvinder Singh S/o Joginder Singh, R/o Village Pouni Chak, Tehsil and District – Jammu – 180002. Age 30 years.

(Mr. Kapil Gupta)

.....Applicants

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,
Jammu Power Distribution Corporation Ltd. Jammu,
Jammu
3. THE Executive Engineer,
Electric Division-III, Jammu.

..... Respondents

(Mr. Sudesh Magotra, Dy. A.G)

O R D E R (ORAL)**Hon'ble Mr. Anand Mathur, Member (A)**

Mr. Balwinder Singh and Mr. Parvinder Singh 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.

2. We have perused the contents of the O.A. and heard today Mr. Kapil Gupta, applicants' counsel and Mr. Sudesh Magotra for respondents.

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

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 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.

5. We have heard both the counsels and perused the case record.
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. The respondents' counsel has no objection to such disposal of this O.A. at this stage.
8. In view of these submissions, the O.A. is disposed of at the admission stage itself, with direction to respondent No.2 (Chief Engineer, Jammu Power Distribution Corporation Ltd., Jammu) to decide the pending representation of the applicants (Annexure A-4),

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)

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