



Central Administrative Tribunal Jammu Bench, Jammu

Hearing through video conferencing

O.A. No.61/250/2020
M.A. No.61/130/2020

Thursday, this the 16th day of July, 2020

**Hon'ble Dr. Bhagwan Sahai, Member (A)
Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

1. Prem Singh Sumria, age 52 years
S/o Shri Ram Saran
R/o Famrote Tehsil Mahore (Gool)
District Udhampur (Ramban)
2. Abdul Qayoom, age 49 years
S/o Late Shri Sikander Din Sheikh
R/o Village Jathi Tehsil & District Doda
3. Vijay Kumar Gupta, age 52 years,
S/o Shri Om Prakash Gupta
R/o Maitra Govindpura Tehsil Ramban
District Doda
4. Abdul Rashid Bhat, age 55 years
S/o Mohd. Shafi Bhat
R/o Ashmir Test Mahore (Gool) District Udhampur
(Ramban)
5. Youdhbir Singh Age 47 years,
S/o Anchal Singh
R/o Marog (Gam) Tehsil Ramban District Doda
6. Mohd. Rafiq Age 50 years
S/o Shri Mohd. Latief,
R/o Champa Tehsil Ramban District Doda
7. Pardeep Singh Age 52 years
S/o Gandharv Singh
R/o Gugwha Tehsil & District Doda
8. Rajinder Singh Age 56 years
S/o Shri Man Singh R/o Saras
Tehsil & District Doda

9. Rangeel Singh age 46 years
 S/o Shri Paras Ram, R/o Village Suligam
 Tehsil Ramban District Doda (Ramban) ...Applicants
 (Mr. Ashwani Sharma, Advocate)

Versus

1. Union Territory of Jammu and Kashmir
 Through Principal Secretary to Government
 Power Development Department,
 Jammu & Kashmir, Civil Secretariat, Jammu
2. The Managing Director, JPDCL, Jammu
3. The Chief Engineer, JPDCL, Jammu
4. Executive Engineer, STD Udhampur
5. Executive Engineer, EM&RE, Batote
6. Executive Engineer, TLMD-III, Udhampur ...Respondents

(Through Mr. Rajesh Thapa, Deputy Advocate General)

O R D E R (ORAL)

Dr. Bhagwan Sahai, Member (A):

Prem Singh Sumria, son of Shri Ram Saran, resident of Famrote, Tehsil Mahore, District Udhampur and 8 others have filed this OA on 10.07.2020. They seek direction to respondents to grant them pre-revised pay scale of Rs.220-430 from the date of their appointment as Technician Grade-III and adjustment as Line Erectors, Electricians, Telephone Operators, Switch Board Attendants, etc., with subsequent revision from time to time and consequential benefits as per J&K High Court order dated 29.07.2013 in LPA 58/2013 along with clubbed matter titled **State of J&K through Commissioner Secretary to Govt. PDD Vs. Joginder Singh & others.**

2. We have heard today Mr. Ashwani Sharma, applicants' counsel and Mr. Rajesh Thapa, DAG, on behalf of respondents.

3. In the OA, the applicants have stated that they joined in the year 1998 and are better qualified than other persons who are promoted as Line Erectors, Switch Board Attendants, Telephone Operators, Mechanics etc. in the pay scale of Rs.220-430 but they have not been granted that pay scale of Rs.220-430, as per Recruitment Rules (RRs) of 1981, which was later on revised as Rs.4000-6000. Some similarly placed persons filed the LPA No.58/2013 along with clubbed matters, which was decided on 29.07.2013 (titled **State of J&K Vs. Joginder Singh and others**), directing the respondents to grant the petitioners therein the pre-revised pay scale of Rs.220-430 with consequential benefits. The respondents in those cases have taken further action for grant of pre-revised pay scale of Rs.220-430. However, they have not released that pay scale to the present applicants. They have represented their grievance from time to time, the last representation being dated 27.03.2020. However, the respondents have not yet redressed their grievance.

4. The applicants' counsel submits that the applicants would be satisfied if this OA is disposed of at this stage with direction to the respondents to consider and decide their pending representation dated 27.03.2020 within a specified period of time. The respondents' counsel has no objection to such disposal of this OA.

5. In view of the above submissions, the OA is disposed of at this stage with direction to the respondents to consider and decide the representation of the applicants dated 27.03.2020 as per the provisions under the relevant service rules within 60 days from the date of receipt of a copy of this order. While examining the representation of the applicants, the respondents should also consider as to whether their claim has

become stale or dead as per the view taken in a number of Supreme Court decisions. With this, the OA stands disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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