



Central Administrative Tribunal Jammu Bench, Jammu

Hearing through video conferencing

O.A. No.61/253/2020

M.A. No.61/133/2020

Thursday, this the 16th day of July, 2020

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

1. Kuldeep Singh Age 55 years S/o Sh. Birbal Singh
R/o Dharamkote P.O. Bhaddu Tehsil Billawar
District Kathua
2. Chanchal Singh Age 52 years S/o Gian Chand
R/o Village Poonda Kabal P.O. Dharmanpur Tehsil Basohli
District Kathua
3. Balbir Singh Age 42 years S/o Mukhtiar Singh
R/o Thein Tehsil & District Kathua
4. Bhupinder Singh Age 42 years S/o Sukhdev Singh R/o VPO Malti
Tehsil Billawar District Kathua
5. Kapil Dev Singh age 40 years S/o Romal Singh R/o VPO Lehari
Tehsil Billawar District Kathua
6. Naresh Kumar Chopra Age 56 years S/o Badri Nath
R/o VPO Bhaddu Tehsil Billawar District Kathua
7. Vijay Singh Age 50 years S/o Mangal Singh R/o Village Rampur
P.O. Mandli Tehsil Billawar District Kathua
8. Karan Singh Age 44 years S/o Shanker Dass
R/o Village Lahori P.O. Lahori Tehsil Billawar District Kathua
9. Sudesh Kumar Age 50 years S/o Deewan Chand R/o Village Thaner
P.O. Plassi Tehsil Basohli District Kathua
10. Shiv Dev Age 52 years S/o Mast Ram R/o Niali
P.O. Mahanpur Tehsil Mahanpur District Kathua
11. Mohinder Singh Age 44 years S/o Sh. Deewan Chand
R/o Village Rajwalta P.O. Sialna Tehsil Ramkot District Kathua
12. Gian Chand Age 33 years S/o Shanker Dass R/o Village Badnota
Tehsil Lohai Malhar District Kathua

13. Sohan Singh Age 34 years S/o Sh. Gian Chand
R/o Village Ucha Pind Tehsil Ramkote District Kathua
 14. Jia Lal Age 41 years S/o Rasila Ram R/o Village Gatti
P.O. Bani Tehsil Bani District Kathua
 15. Parmod Kumar Sharma Age 49 years s/o Sh. Jai Karan R/o VPO Kohang Tehsil
Billawar District Kathua
 16. Sanjeev Kumar Age 50 years S/o Sh. Gian Chand R/o VPO Malti Tehsil Billawar
District Kathua
 17. Prithvi Singh Age 36 years S/o Karnail Singh R/o VPO Bathria Lohari
Tehsil Billawar District Kathua
 18. Parveen Kumar Age 46 years S/o Radha Krishan R/o VPO Lahari
Tehsil Billawar District Kathua
 19. Rakesh Singh Jamwal Age 48 years S/o Late Sh. Raj Kumar Singh R/o Village
Bassi Jamwal Tehsil Hiranagar District Kathua
 20. Dushant Kumar Age 38 years S/o Mahesh Chander R/o Kootah
Tehsil Hiranagar District Kathua
 21. Sunil Kumar Age 40 years S/o Sh. Bishan Dass R/o Jandi
Tehsil Hiranagar District Kathua
-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(Distribution), JPDCL, Jammu
 4. Executive Engineer EM&RE, JPDCL, Kathua
 5. Executive Engineer STD, JPDCL, Kathua
- ...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R (ORAL)

Dr. Bhagwan Sahai, Member (A):

Kuldeep Singh, son of Shri Birbal Singh, resident of Dharamkote, Billawar District Kathua and 20 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 Grade-III Technicians

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. Sudesh Magotra, 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 the said 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 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 the pre-revised pay scale of Rs.220-430. However, they have not released that pay scale to the present applicants herein. They have represented their grievance from time to time, the last representation being dated 29.03.2020. 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 29.03.2020 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 29.03.2020 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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