

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 947
T.A. No.

198 7

DATE OF DECISION 21.2.1990

~~S.C. Kumar and others~~ Petitioner

~~Mr. R.P. Oberoi~~ Advocate for the Petitioner(s)

Versus

~~Union of India and others~~ Respondent

~~Mrs. Avnish Ahlawant~~ Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. G.Sreedharan Nair, V.C.

The Hon'ble Mr. P.C.Jain, M(A)

1. Whether Reporters of local papers may be allowed to see the Judgement? ☒
2. To be referred to the Reporter or not? ☒
3. Whether their Lordships wish to see the fair copy of the Judgement? ☒
4. Whether it needs to be circulated to other Benches of the Tribunal? ☒

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Registration No.O.A.947 of 1987

Date of decision 21.2.1990

S.C. Kumar and two others ..	Applicants
- versus -	
Union of India and others ..	Respondents

CORAM :

Hon'ble Shri G.Sreedharan Nair, Vice-Chairman
Hon'ble Shri P.C. Jain, Member Administrative)

Counsel for the applicants : Mr. R.P. Oberoi.

Counsel for the respondents : Mrs. Avnish Ahlawant.

O R D E R

(Passed by Hon'ble Shri G.Sreedharan Nair, Vice-Chairman) :-

The three applicants in this application are employed in the Directorate ^{General} of Home Guards and Civil Defence, the first applicant is Head Armourer, the second applicant is Kot Incharge and the third applicant is Nak Armourer. Their grievance is that while fixing the pay of the posts held by them, the Fourth Central Pay Commission has ignored the parity that was in existence as compared to certain equivalent posts in the Delhi Police, and by the order dated 24.10.1986 the pay of the posts held by the applicants 1 and 3 has been fixed accepting the recommendation of the Commission and that the second applicant is also being paid only in accordance with the same. They have prayed to quash the aforesaid order and for a direction to the respondents to revise the pay-scales of the posts held by them, with effect from 1.1.1986 and for consequential benefits. It is stated

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that a representation was made by the applicants to the third respondent requesting that they should be given the same pay-scales as are being granted to the Delhi Police in implementation of the recommendation of the Commission.

2. In the reply filed on behalf of the respondents, it is contended that the posts held by the applicants cannot be equated to the posts in the Delhi Police. However, it is admitted in paragraph 6.10 of the reply that in view of the representations submitted by the applicants, the matter has been referred to the second respondent, the Delhi Administration, which is pursuing the case with the first respondent.

3. Since the relief claimed by the applicants relates to alleged anomaly in the fixation of their pay, essentially it is not a matter on which a verdict can be given by this Tribunal. More so when it is admitted that a representation has been submitted by them before the competent authority, which is admittedly under consideration.

4. In the circumstances, we direct the respondents to consider the representation submitted by the applicants on 21.10.1986 and to dispose it of as expeditiously as possible, at any rate before the expiry of two months from the date of receipt of copy of this order. It is needless to add that the respondents shall pay due consideration to the various points highlighted in the representation. As requested by counsel of the applicants, we would make it clear that in case the applicants are aggrieved by the disposal of the representation, they shall have liberty to pursue in appropriate proceedings.

5. The application is disposed of with the aforesaid direction.

(P.C.Jain) 21/490
Member(A)

(G.Sreedharan Nair)
Vice-Chairman