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(12)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

C.P. NO. 212/94  
IN  
O.A. NO. 107/88

New Delhi this the 7th day of December, 1994

HON'BLE SHRI JUSTICE S. C. MATHUR, CHAIRMAN  
HON'BLE SHRI P. T. THIRUVENGADAM, MEMBER (A)

S/Shri

1. N. Bhadran Nair,  
Assistant News Editor,  
News Service Division,  
All India Radio,  
Parliament Street,  
New Delhi - 110001.
2. Ms. Roma Chatterjee,  
Assistant News Editor (Reference),  
News Service Division,  
All India Radio, Parliament  
Street, New Delhi-110001.
3. Khursheed Akram,  
Assistant Editor,  
Publications Division,  
Patiala House,  
New Delhi.

... Applicants

( By Applicant No.1 in person )

Versus

1. Union of India through  
Shri K. Venkatesan,  
Secretary, Department of  
Expenditure, Ministry of  
Finance, North Block,  
New Delhi.
2. Shri Bhaskar Ghose,  
Secretary, Ministry of  
Information & Broadcasting,  
Shastri Bhawan,  
New Delhi - 110001.

... Respondents

( By Advocate Shri M. K. Gupta )

O R D E R (ORAL)

Shri Justice S. C. Mathur -

The applicants allege disobedience by the  
respondents of the Tribunal's judgment and order  
dated 29.7.1993 passed in O.A. No. 107/88.

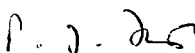
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2. It appears from a perusal of the judgment that the applicants were claiming the scale of Rs.1640-2900. The Tribunal issued direction to the administration to get the applicants' claim examined by the anomaly committee if it existed or by a properly constituted committee of experts. Such a committee was constituted and it has given its report on the basis of which order dated 13.10.1994 has been passed, copy of which has been placed before us. The committee of experts has expressed the opinion that it would be appropriate to refer the claim of the applicants to the Fifth Pay Commission which has already been constituted. The committee, however, recommended in the interest of justice that the applicants be given a higher start of Rs.1600/- in the pay scale of Rs.1400-2600.

3. The applicants' plea is that the committee was not required to consider grant of pay at a higher rate in the same scale but in the higher scale. The direction of the Tribunal did require the claim of the applicants for the higher scale of Rs.1640-2900, but it cannot be said that the committee was not considering this claim and was considering only the fitment of the applicants in the scale of Rs.1400-2600. In the order dated 13.10.1994, the claim of the applicants has been mentioned and thereafter the desirability of referring the claim to the Fifth Pay Commission. At the end, the committee has come to the conclusion that at this stage the applicants may only be granted higher salary in the scale of Rs.1400-2600.

4. The direction of the Tribunal only required consideration and not necessarily grant of scale claimed by the applicants. That consideration having been done, it cannot be said that the respondents have disobeyed the judgment of the Tribunal.

5. In view of the above, the application is rejected but without any orders as to costs. Interim order shall stand discharged.

  
( P. T. Thiruvengadam )  
Member (A)

  
( S. C. Mathur )  
Chairman

/as/

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