

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

MP No. 682/92 IN OA NO. 1849/90 Date of decision: 13.7.92.

Shri B.L. Narang .. Applicant

Sh. S. Sant Lal .. Counsel for the applicant

Versus

U.O.I. .. Respondents.

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The Hon'ble Sh. P.K. Kartha, Vice Chairman (J)

The Hon'ble Sh. B.N. Dhoundiyal, Member (A)

JUDGEMENT (Oral)

(Delivered by Hon'ble Sh. P.K. Kartha, Vice Chairman(J))

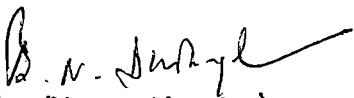
Heard the counsel for both parties on MP 682/92.

The grievance of the petitioner is that the respondents have not complied with the judgement of the Tribunal dated 13.8.91. The Petitioner himself has annexed to the MP the order passed by the respondents on 15.11.91, according to ^{which} ~~this~~ they have not given the benefit of refixation of the pay of the applicant in the same manner as that of his juniors who were given only adhoc promotion. The learned counsel for the respondents argues that the judgement has been fully implemented. As against this, the learned counsel for the applicant relied upon paras 12 and 13 of the judgement and submits that even though the benefit of the next below rule is not to be given to the applicant, the respondents were directed to give the same treatment to the applicant as has been given to his juniors who were promoted in the parent cadre while he was on deputation to an ex - cadre post. The tribunal has further stated that in case the juniors of the applicant were given the benefit of the increments in the higher scales and their pay had been fixed accordingly, the same benefit should be given to the applicant in all fairness.

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The learned counsel for the respondents contended that the pay of the applicant has been fixed in accordance with the judgement.

After hearing both sides, we dispose of the MP with the direction to the respondents to refix the pay of the applicant in accordance with paras 12 and 13 of the judgement.


(B.N. Dhoundiyal)

Member (A)



(P.K. Kartha)

Vice Chairman (J)