

(8)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A.563/92 &

DATE OF DECISION:

7/1/93

O.A.2265/91

Kushal Sharma & ors. .. APPLICANTS

&

R.N.Pachauri & ors.

Versus

Union of India &

others

.. RESPONDENTS.

Sh.S.D.Kinra

.. Counsel for the applicant.

Sh.V.K.Rao

.. Counsel for the respondents.

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice Chairman(J)

The Hon'ble Sh.I.P.Gupta, Member(A).

J U D G E M E N T (ORAL)

In these applications the applicants have requested for extending the benefits of judgement dated 7.6.91 in O.A.1599/87 etc. We heard both the counsel. The principle has already been laid down in that judgement that the benefits of similar judgements should be extended to the applicant, who should be deemed to have been promoted with effect from the date prior to a date of promotion of any person who passed the departmental examination subsequent to the applicants


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and their seniority be revised in T.E.S. Group 'B' cadre. They shall also be entitled to refixation of the pay with effect from the said date. The benefit of this judgement should, we direct, be given to the applicants also.

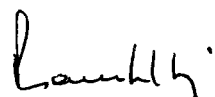
The learned counsel for the applicant raised the question for payment of arrears of salary. While refixation of pay has to be done with effect from the

appropriate date with consequent benefits of increments etc. the refixation is only notional because the applicants would <sup>only</sup> be deemed to have been promoted from appropriate back dates. The question of payment of arrears would not arise in terms of the judgement nor the request is justifiable.

With the above observation the O.As. are disposed of finally with no order as to costs.

  
(I.P. GUPTA)

MEMBER(A)

  
(RAM PAL SINGH)

VICE CHAIRMAN(J)