

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 22nd day of May 2000.

Original Application no. 1042 of 1996.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member.

Ganesh Prasad Nigam, S/o Late G.P. Nigam,
Retired Deputy Chief Post Master,
R/o 127/W-2/1325,
Basant Vihar Naubasta,
Kanpur.

... Applicant

C/A Shri K.C. Sinha

Versus

1. Union of India, through the Secretary of Communication Department of Post, Dak Bhawan, NEW DELHI.
2. Director General, Department of Post, New Delhi.
3. Chief Post Master General, U.P. Circle, Lucknow.
4. Post Master General, Kanpur Region, Kanpur.
5. Director of Accounts (Postal), U.P. Circle, Lucknow.

... Respondents.

C/Rs Km. Sadhana Srivastava

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ORDER

Hon'ble Mr. S.K.I. Naqvi, Judicial Member.

Shri D.P. Nigam, who retired from Postal Services, Group 'B' has come up for direction to the respondents for step up the pay at par with the juniors and re-fix at Rs. 2450/- on 04.01.1989, the date of promotion of juniors to the cadre of H.S.G.-I and accordingly fix the pay and allowance of the petitioner in P.S. Group 'B' cadre by giving the notional promotion w.e.f. 04.01.1989 to H.S.G.-I and also to treating the petitioner that he was drawing the basic pay on the date of his retirement i.e. 31.5.1990 as Rs. 2675/- . He has also claimed for difference as arrears.

2. The petitioner has put his claim on the ground that he was given promotion to the post of ASPO, w.e.f. 31.01.1982 alongwith his juniors and his pay was fixed as ASPO cadre at Rs. 650/- . Whereas the pay of those who were junior to him was fixed at Rs. 625/- . But subsequently on promotion to the applicant and his juniors in their cadre, the juniors were fixed at higher stage in the scale than that of petitioner for which he has requested for step up of the pay. The petitioner has also mentioned that he moved several representations to the departmental authorities, but he was not allowed step up in the pay and his representations were rejected viae order dated 26.09.1995 and, therefore, he has come up for relief before the Tribunal..

S.C.V.

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3. The respondents have contested the case and emphasised that the pay of the applicant has rightly been fixed and he is not entitled to any step up in the pay. The respondents have supported the order dated 26.09.1995, through which the representation of the applicant has been rejected holding that he has not entitled to stepping up of pay.

4. Heard learned counsel for the parties and perused the record.

5. I find that the representation of the applicant for stepping up of pay has been decided ~~vide~~ order dated 26.09.1995, copy of which ~~has~~ been annexed as annexure A-1. According to which the applicant has not been found entitled for stepping up of pay because he was promoted from ASPOs cadre to PS group 'B' cadre in August 1988 and as such he was ignored in DPC for promotion to HSG-I cadre held in December 1988. I find that this order is not well reasoned and does not contain the necessary details. It is not clear from this order dated 26.09.95 that at what point of time the applicant opted or declined for any assignment for which he had to suffer for drawing lesser than juniors to him and stepping up in pay has been refused.

6. Under the above circumstances, it is directed

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that in case the applicant moves a fresh representation to the Competent Authority within 15 days from today, the same shall be decided by the respondents within 8 weeks, thereafter, by detailed, speaking and reasoned order. Copy of this order be furnished to learned counsel for the applicant as well as learned counsel for the respondents.

7. The O.A. is decided with the above direction.
No order as to costs.

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Member-J

/pc/