

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.

RA/M.A./O.A./T.A./ 117 1980

Mr Nanjundswamy Applicant (s).

for Adv. for the
Petitioner (s).

Versus

Union of India Respondent (s).

for Adv. for the
Respondent (s).

DATE.	ORDERS.
	Arrears of gratuity pay (Copy Sent)
1980 RA	Date of hearing informed to applicant
	<div> <div>COA</div> <div>14/3/90</div> </div> <div>14/3/90.</div>
24/3	<div> <div>Issue notice of withdrawal</div> <div>after admission to appeal</div> </div>

O. A. 117/90

CORAM : HON'BLE MR. G. S. NAIR .. VICE CHAIRMAN
HON'BLE MR. M. M. SINGH .. ADMINISTRATIVE MEMBER

20/3/1990

Heard the applicant who appeared in person, as well as the learned counsel Mr. J.D. Ajmera on behalf of the respondents. The application is admitted. ^{Considering} ~~Conserving~~ the nature of the relief we ^{proceed to} disposed of the application ~~is~~ finally. ~~Final order is passed.~~ ^{Though Mr. Ajmera} ~~delays to have it postponed.~~ ^{Final order} passed.

M M L
(M. M. Singh)
Administrative Member

Re
(G. S. Nair)
Vice Chairman

R

Shri M. R. Manjundaswamy

.. Applicant

(Party in person)

V/s

Union of India

Through Secretary to Government
of India,

Ministry of Information & Broadcasting,
New Delhi

.. Respondent

(Advocate: Mr. J. D. Ajmera)

CORAM : HON'BLE MR. G. S. NAIR .. VICE CHAIRMAN

HON'BLE MR. M. M. SINGH .. ADMINISTRATIVE MEMBER.

: O R D E R :

Date : 20/3/1990

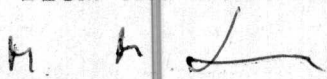
Per : Hon'ble Mr. G. S. Nair

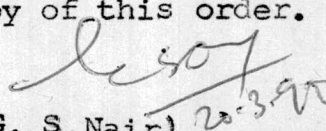
.. Vice Chairman.

The only relief that is claimed in this application by the applicant whose pay ^{was} allowed to be ^{stepped} ~~stepping~~ up, by the order dt. 7.11.85, is against the denial of the arrears from 25.5.82 till the ^{date} ~~day~~ of the order. It is clear from the aforesaid order ^{that} the refixation of the pay ^{of} by the applicant was made to remove the anomaly ^{to} the juniors drawing higher pay. Since juniors were drawing higher pay from 25.5.82 the applicant is actually entitled to the arrears of pay on the basis of the stepping up, with effect from 26.5.82.

It has also to be noticed that ^a similar view has been taken by the Principal Bench in ^{the} ^{case} of ^{ca} similar situated employees, by the decision in O.A. 1126/87.

In the ^{the} circumstances, we hereby direct the respondent to pay applicant the arrears as above within a period of three months from the date of the receipt of the copy of this order.


(M. M. Singh)
Administrative Member


(G. S. Nair)
Vice Chairman

LETTER NO. S. 32/96

D. NO, 1255/90/Sec. IX
Supreme Court of India

Dated: 4/6/96

From: Section Officer,
Supreme Court of India,

Central Administrative Tribunal
Ahmedabad Bench.

Inward No. 2614
Date 22.07.96

To: The Registrar,
Central Administrative Tribunal,
Ahmedabad Bench,
Ahmedabad.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 9064 of 1996
(Petition under Article 136 of the Constitution of India,
from the Judgment and Order dated 20/3/90 of the Central
Administrative Tribunal, Ahmedabad Bench in O.A.No.117/90 ✓)

Union of India

..Petitioner(s)

-Vs-

M.R.Nanjundaswamy

..Respondent(s)

Sir,

I am directed to inform you that the Petition above-
mentioned filed in the Supreme Court was listed before the
Court on 2/4/96 when the Court was pleased to
pass the following order:-

"As it appears to us the delay of 107 days has
not been properly explained except making a bad
statement that since the file had moved from
one section to another, the delay had occurred,
we are not inclined to condone the delay. The
SLP is, therefore, dismissed."

Yours faithfully,

For personal pleasure

Section Officer

① Honble Mr. Radhakrishnan,
Acting vice chairman.

② Honble Mr. K. Ramamurthy,
member (A)

Shri M. R. Manjundaswamy
(Party in person)
V/s

.. Applicant

Union of India
Through Secretary to Government
of India,
Ministry of Information & Broadcasting,
New Delhi
(Advocate: Mr. J. D. Ajmera)

.. Respondent

CORAM : HON'BLE MR. G. S. NAIR

.. VICE CHAIRMAN

HON'BLE MR. M. M. SINGH

.. ADMINISTRATIVE MEMBER.

: ORDER :

Date : 20/3/1990

Per : Hon'ble Mr. G. S. Nair

.. Vice Chairman.

The only relief that is claimed in this application by the applicant whose pay ^{was} allowed to be ^{stepped} up, by the order dt. 7.11.85, is against the denial of the arrears from 25.5.82 till the ^{date} of the order. It is clear from the aforesaid order ^{that} the refixation of the pay ^{of} the applicant was made to remove the anomaly ^{of} the juniors drawing higher pay. Since ^{the} juniors were drawing higher pay from 25.5.82 the applicant is actually entitled to the arrears of pay on the basis of the stepping up, with effect from 26.5.82.

It has also to be noticed that similar view has been taken by the Principal Bench in ^{the} case of ^{the} similarly situated employees, by the decision in O.A. 1126/87.

In the circumstances, we hereby direct the respondent to pay ^{the} applicant the arrears as above within a period of three months from the date of the receipt of the copy of this order.

Sd/-
(M. M. Singh)
Administrative Member

TRUE COPY

Sd/-
(G. S. Nair)
Vice Chairman

Ullanda
23/3/90
Section Officer

Central Administrative Tribunal
Ahmedabad Bench.

Compared & signed
20/3/90

