

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 402 of 1993

T.A. NO.

DATE OF DECISION 22.6.1994

KAPP Diploma Engineers Association
and Kakrapar Atomic Project Petitioner

Mr.M.M.Desai Advocate for the Petitioner (s)

Versus

Union of India & others Respondent

Mr.J.D.Ajmera for resp.No.3 & 4 Advocate for the Respondent (s)
Mr.Akil Kureshi

CORAM

The Hon'ble Mr. K.Ramamoorthy : Member (A)

The Hon'ble Mr. Dr.R.K.Saxena : Member (J)

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

1. KAPP Diploma Engineers' Association,
Kakrapar Atomic Project,
Post office :Anumala,Via.Vyara,Surat.
2. Shri M.Umashankar, President,
KAPP Diploma Engineers' Association,
Kakrapar Atomic Project, Post Office :Anumala,
Via.Vyara, District : Surat.

Applicants

Advocate Mr.M.M.Desai

versus

1. Union of India, through : Secretary,
Ministry of Atomic Energy,
South Block, New Delhi.
2. Chairman, Atomic Energy Commission,
Anushakti Bhavan, CSM Margh,
Bombay-400 039.
3. Managing Director,
Newclear Power Corporation Centre-I,
World Trade Centre, 16th floor,
Chief Caffa Road, Bombay-400 005.
4. Chief Project Engineer,
Kakarpar Atomic Power Project,
Post Office: Anumala, Via. Vyara,
District: Surat.

Respondents.


Advocate Mr.J.D.Ajmera for resp.No.3 & 4
Mr.Akil KureshiORAL ORDER


O.A.402 of 1993

Date: 22.6.1994

Per : Hon'ble Mr.K.Ramamoorthy, Member (A)

Neither the applicants nor their advocate
are
/present. Hence, dismissed for default.


(Dr.R.K.Saxena)
Member (J)


(K.Ramamoorthy)
Member (A)


*ssh

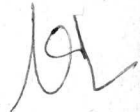
Office Report

ORDER

3-5-1995

Mr. Mukesh Patel files proxy letter on behalf of Mr. M.M. Desai. At the request of Mr. Patel adjourned to 28-4-1995.


(Dr. R.K. Saxena)
Member (J)


(V. Radhakrishnan)
Member (A)

*AS.

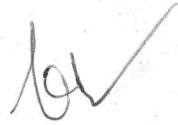
28.4.95

MA/158/95

M.A.158/95 for restoration allowed. 28.4.95
M.A. stands disposed of accordingly.
MAst.429/94. Office objections may be removed within two weeks.

O.A.No:402/95


Mr. Mukesh Patel is present. At his request the matter is adjourned to 12th May, 1995.


(V. Radhakrishnan)
Member (A)

npm

-5-1995


None present for the applicant. At the request of Adeshra for Mr. Akil Kureshi adjourned to 26-6-95.


(V. Radhakrishnan)
Member (A)

Date	Office Report	ORDER
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26.6.1995

None present for the applicant.
As the Division Bench is not available the matter is adjourned to 26.7.1995.


(V. Radhakrishnan)
Member(A)

ait.

26.7.95

Mr. M. M. Desai and Mr. Mukesh Patel are not present. Adjourned to 28/7/95.


(V. Radhakrishnan)
MEMBER(A)

npm

28.7.95

None present for the parties. Adjourned to 31st August, 1995.


(V. Radhakrishnan)
Member(A)






vtc.




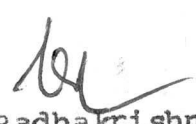
31.8.95

Being a Division Bench matter, adjourned to 13th October, 1995.


(K. Ramamoorthy)
Member(A)

npm





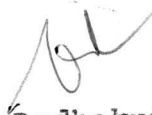
Date	Office Report	ORDER
13-10-95.		<p>Being a Division Bench matter, adjourned to 13-12-1995.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p>
13-12-95.		<p>ait.</p> <p>Being a Division Bench matter, adjourned to 29-1-1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p>
29.1.1996.		<p>ait.</p> <p>Being a Division Bench matter, adjourned to 19.3.1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p>
.3.96		<p>ait.</p> <p>Being a Division Bench matter, adjourned to 25.04.1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p>
.96		<p>npm</p> <p>Being a Division Bench matter, adjourned to 12.06.1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p> <p>npm</p>

Date	Office Report	ORDER
12.6.96.		<p>Being a Division Bench matter, adjourned to 23.7.1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p> <p>ait.</p>
23.7.96.		<p>Being a Division Bench matter, adjourned to 10.9.1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p> <p>ait.</p>
10.9.96		<p>Being a Division Bench matter, adjourned to 10.10.1996.</p> <p style="text-align: right;">  (K. Ramamoorthy) Member (A) </p>
10.10.96		<p>None present for the applicant. Being a Division Bench matter, adjourned to 27.11.1996.</p> <p style="text-align: right;">  (V. Radhakrishnan) Member (A) </p>

npm

npm

25.4

Date	Office Report	ORDER
17.3.97.		<p>Being a Division Bench matter, adjourned to 09.04.1997.</p> <p style="text-align: right;"> (V. Radhakrishnan) Member (A)</p> <p>ait.</p>
9.4.97		<p>Being a Division Bench matter, adjourned to 7.05.1997.</p> <p style="text-align: right;"> (V. Radhakrishnan) member (A)</p> <p>npm</p>
7.5.97		<p>Being a Division Bench matter, adjourned to 30th June, 1997.</p> <p style="text-align: right;"> (V. Radhakrishnan) Member (A)</p> <p>npm</p>
30.6.1997.		<p>Being a Division Bench matter, adjourned to 09.7.1997.</p> <p style="text-align: right;"> (V. Radhakrishnan) Member (A)</p> <p>ait.</p>
9.7.97.		<p>None present for the parties. Being a Division Bench matter, adjourned to 13.8.97.</p> <p style="text-align: right;"> (V. Radhakrishnan) Member (A)</p> <p>ait.</p>

CA 402193

Date	Office Report	ORDER
27/11/96		<p>BEING A DIVISION BENCH MATTER ADJOURNED TO.....19.12.1996</p> <p>CK. Ramamoorthy) Member (A)</p>
18.12.96		<p>Counsel for the applicant is not present. Adjourned to 9.01.1997.</p> <p>(A.K.Mishra) Member (J)</p> <p>(K.Ramamoorthy) Member (A)</p>
9.1.97		<p>Being a Division Bench matter, adjourned to 13.02.1997.</p> <p>(V.Radhakrishnan) Member (A)</p>
3.2.97		<p>This is a Division Bench matter. As the Division Bench is not available today, the matter is adjourned to 17.03.1997.</p> <p>(T.N. Bhat) Member (J)</p>


D.


Office Report

ORDER

13.8.97.

As the time being over, adjourned to
22.9.1997.



(T.N. Bhat)
Member (J)



(V. Radhakrishnan)
Member (A)

npm

22-9-97

Time being over. Adjourned to 28-11-97.



(T.N. BHAT)
Member (J)

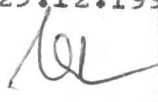

(V. RADHAKRISHNAN)
Member (A)

Pt.

28.11.97.

Time being over, adjourned to 29.12.1997.



(T.N. Bhat)
Member (J)



(V. Radhakrishnan)
Member (A)

ait.

29.12.97

In view of the Resolution passed by
CAT Bar association to abstain from work
due to sad demise of Mr. G.N. Desai, Sr. Ad
of Gujarat High court, the matter is adjourned
to 26.02.1998.


(P.C. Kannan)
Member (J)


(V. Radhakrishnan)
Member (A)

npm

26.2.98

of Bench...

Time being over, adjourned to 2.04.1998.

PC (P.C. Kannan) (V.Radhakrishnan)
Member (J) Member (A)

2-4-98

(Radhakrishnan)
Member (A)

npm

Being a Division Bench matter,
adjourned to 4-5-98.

VR
(V. Radhakrishnan)
Member (A)

4.5.98

Notice issued
on 13-5-98
APP received
PC
2-7-98

pt

Notice may be issued to the respondents
to nominate alternate counsel in place
of Mr. Akil Kureshi.
Adjourned to 3.7.1998.

PC (P.C. Kannan) (V.Radhakrishnan)
Member (J) Member (A)

npm

By the
Advocate
for today

1. KAPP Diploma Engineers' Association,
Kakrapar Atomic Project,
Post office Anumala, Via. Vyara,
District : Surat-

2. Shri M.Usmashankar,
President,
KAPP Diploma Engineers' Association,
Kakrapar Atomic Project,
Post office Anumala, Via-Vyara,
Surat.

: Applicants

Advocate Mr.M.M.Desai
Mr.Mukesh A Patel

versus

1. Union of India, Through :
Secretary,
Ministry of Atomic Energy,
South Block, New Delhi.

2. Chairman,
Atomic Energy Commission,
Anushakti Bhavan,
CSM Margh,
Bombay-39.

3. Managing Director,
New Clear Power Corporation Centre-I,
World Trade Centre, 16th ~~xxx~~ floor,
Chief Caffa Road,
Bombay.

4. Chief Project Engineer,
Kakrapar Atomic Power Project,
Post office, Anumala,
Via : Vyara, Surat.

Respondents.

 Advocate Mrs.P.Safaya

ORAL JUDGMENT

O.A. 402/93

Date: 03.7.1998

Per Hon'ble Mr.V.Radhakrishnan : Member (A)

None present for the applicants. Mrs.Safaya files appearance for the respondents


2. In this case, the applicants have approached the Tribunal praying for the following reliefs:-

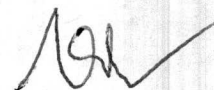
- (A) Pass an order setting aside the disparity in the implementation of revision of pay scales as recommended by the Centre Fourth Pay Commission Report ;
- (B) Direct the respondents to uniformly apply the revision of Centre Fourth Pay Commission Report as per the existing scale,;
- (C) Direct the respondents to pay the arrears from 1.1.86 i.e. the date when the revision of pay scale was recommended by the fourth ~~pay~~ Central Pay Commission ;
- (D) Permit the applicants to file single application in a representative having ~~an~~ regard to the same cause of action and the nature of the relief prayed for on behalf of KAPP Diploma Engineers' Association ;
- (E) Pass any other order(d) which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case "

3. In additional reply filed by the respondents today, it is seen that an Expert Committee was constituted by the Department of Atomic Energy as per the directions of the CAT Principal Bench, in O.A.No.1271/91. The Committee has given its finding on 06.3.1998 and the orders of the DAE are awaited. Whatsoever decision is taken by the DAE shall be applicable to all its units and all Scientific Assistants including the present applicants in this O.A.

4. In the circumstances stated above, it is not proper for this Tribunal to examine the question of pay fixation of the applicants as demanded by them as this is a job already under taken by the Expert Committee and being considered by the Appropriate Authority.

5. In view of the above, we see no purpose in proceeding with the O.A. Hence, it is disposed of.


(Laxman Jha)
Member (J)


(V. Radhakrishnan)
Member (A)

*SSN...

CENTRAL ADMINISTRATIVE TRIBUNAL, DEL.

Application No. 207 402/83

of 19

Transfer application No. _____

Old Write Pet. No. _____

CERTIFICATE

Certified that no further action is required to be taken and the case is fit for consignment to the Record Room (Decided).

Dated: 16/7/88

Countersigned.

22444

Section Officer/Court Officer.

[Signature]
Signature of the Dealing Assistant.

