

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 89/93

~~T.A. NO.~~

DATE OF DECISION 22.3.1995

Vasantlal Mohanlal Ganatra Petitioner

Mr. K.C. Bhatt Advocate for the Petitioner (s)

Versus

Union of India and Ors. Respondent

Akil Kureshi Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. N.B. Patel, Vice Chairman

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

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 ?

No.

Vasantlal Mohanlal Ganatra
 Sr. Supdt. of Post offices,
 3/12, Gopalganj,
 Rajkot . 360 002.

.. Applicant

(Advocate : Mr. K.C. Bhatt)

Versus

1. Union of India
 through :
 The Director-General,
 Department of Posts,
 Ministry of Communication,
 Govt. of India, Parliament st.
 New Delhi-110 001.

2. The Chief Postmaster General,
 Gujarat Circle,
 Ahmedabad- 380 001.

.. Respondents

(Advocate : Mr. Akil Kureshi)

Dt. 22.03.1995

O.A./89/93

O R A L O R D E R

Per : Hon'ble Mr. N.B. Patel, Vice Chairman.

At the ~~state~~ of arguments, it was fairly
conceded learned
considered by the Additional Standing Counsel,
 Mr. Akil Kureshi, that the case of the present
 applicant and of Mr. Baldevbhai Patel (who had
 filed OA/346/92) vis-a-vis one Mr. K.C. Bhatt
was on all fours. In that case, Mr. Baldevbhai
 Patel had asked for fixation of his pay so as to
 bring it on par with the pay of his junior
 Mr. K.C. Bhatt. In the present case, the

Applicant asked for the same relief namely that of stepping up of his pay on the promotional post of P.S.S. Group B so as to bring it on par with the pay of Mr. K.C. Bhatt with effect from 1.4.'89, i.e. the date from which the junior Mr. K.C. Bhatt started getting more pay than the present applicant, ~~as also the applicant Mr. Baldevbhai Patel of OA/346/92.~~ It is also ~~considered~~ that the department is resisting the claim of the present applicant on the same ground on which it had resisted the claim of Mr. Baldevbhai Patel, namely, that there was an error or illegality in promoting Mr. K.C. Bhatt to the post of H.S.G. II. By our judgment dated 22.9.'93 in OA/346/92, we have negatived the contention of the department and directed it to ~~refix~~ the pay of the applicant Shri Baldevbhai Patel of that case so as to bring it on par with the pay of Mr. K.C. Bhatt with effect from 1.4.1989. In the said judgment, we have set out the reasons for our coming to the conclusion that the applicant had a valid case for asking for stepping up of his pay to the level of the pay of Mr. K.C. Bhatt as on 1.4.1989. We are informed that our judgment in OA/346/92 has achieved finality as it is not challenged and the said judgment is actually implemented by ~~the~~ stepping up of the pay of Mr. Baldevbhai Patel with effect from 1.4.1989 so as to bring it on par with the pay of Mr. K.C. Bhatt on that day. We, therefore, do not think it necessary to repeat the same reasons

on which our judgment in OA/ 346/92 is based. Following that judgment, we allow this application and quash and set aside the orders Annexures A2 and A5 rejecting the present applicant Shri V.M. Ganatra's claim for stepping up of his pay and direct the respondents to step up his pay to the level of the pay of his junior Mr.K.C.Bhatt as on 1.4.89 i.e. Rs.3200/- p.m. and to pay all arrears and allowances to the applicant consequent upon the stepping up of his pay w.e.f. 1.4.1989. The applicant having retired, his pension may also be refixed consequent upon the refixation of his pay with effect from 1.4.1989.

No order as to costs.



(K. Ramamoorthy)
Member (A)

(N.B. Patel)
Vice Chairman

sr

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

Application No. 04183/93 of
Transfer Application No. _____ of

CERTIFICATE

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

Dated : 18-04-95

Countersign :

*Q. 2
16/5/95*
Section Officer.

ceefaf

Signature of the Dealing
Assistant

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

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NAME OF THE PARTIES MR. V.M. Gondoles

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