

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 89/93

~~T.A. NO.~~

DATE OF DECISION 22.3.1994⁵

Vasantlal Mohanlal Ganatra Petitioner

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

Versus

Union of India and Ors. Respondent

Akil Kurashi 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, Gopalnagar,
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 learned ~~conceded~~ 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 ~~are~~ 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~~ 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~~
 DA/346/92. It is also ~~considered~~ ^{concluded} 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 DA/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 DA/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. 04/82/93 of
Transfer Application No. _____ of

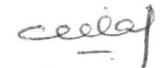
CERTIFICATE

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 :


Section Officer.


Signature of the Dealing
Assistant

INDEX - SHEET

U. O. I. 8 000.

[illegible]