

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORIGINAL APPLICATION NO. 120 OF 1988.

Date of decision .. April 14, 1988.

Jamini Kanta Parida, son of late Judhistir Parida,
Headmaster, MPV- 21 M.E. School, At/P.O- Kalimela,
Dist- Koraput. ... Applicant.

Versus

1. Union of India, represented by its Secretary, Ministry of Home Affairs, Department of Home Affairs, Rehabilitation Wing, Jai Salmer House, Mansingh Road, New Delhi- 110 011.
2. Chief Administrator, Dandakaranya Development Authority, At, P.O. & District- Koraput.

... Respondents.

M/s Deepak Misra, A. Deo, S.S. Hota
and R.N. Hota, Advocates ... For Applicant.

Mr. A.B. Misra, Sr. Standing
Counsel (Central) ... For Respondents.

C O R A M :

THE HON'BLE MR. B.R. PATEL, VICE CHAIRMAN

A N D

THE HON'BLE MR. K.P. ACHARYA, MEMBER (JUDICIAL)

1. Whether reporters of local papers have been permitted to see the judgment ? Yes .
2. To be referred to the Reporters or not ? No
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes .

JUDGMENT

K.P.ACHARYA, MEMBER (J), In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner claims a pay scale of Rs.550-900/- for the period he worked as Headmaster of M.E. School.

2. Shortly stated, the case of the petitioner is that he had worked as Headmaster, M.E.School under the Dandakaranya Development Authority from 9.9.1971 and therefore he claims a pay scale of Rs.550-900/-.

3. Despite all objections raised by the learned Sr. Standing Counsel Mr. A.B.Misra on question of limitation which we have held against him in many cases in the past giving benefit to the Headmasters of M.E. School entitling them to a pay scale of Rs.550-900/- for the period they worked as such, ^{and} This position has been already concluded and therefore we find no substance in the argument of the learned Sr. Standing Counsel on the question of limitation. The Central Government has accepted our judgment and has passed sanction orders. In such circumstances, this question is no more a debatable one. It was submitted by Mr. Deepak Misra, learned counsel for the petitioner that the petitioner worked as Headmaster from 1971 to 1985. We do not have any opportunity to check up the correctness of this fact stated by Mr. Misra on instruction. Be that as it may, the petitioner would be entitled to a pay scale of Rs.550-900/- with effect from 1.1.1973 till he relinquished his office or in other words, the date from which he worked as Headmaster after 1.1.1973 till he relinquished his services from the post of Headmaster, M.E. School. Office of the Chief Administrator, Dandakaranya Development Authority may verify the facts stated above

and calculate the amount due to the petitioner and the arrear should be paid to the petitioner within three months from the date of receipt of a copy of this judgment.

4. Thus, the application is allowed leaving the parties to bear their own costs.

.....
14.4.88
Member (Judicial)

B.R. PATEL, VICE CHAIRMAN, *g agree.*

.....
14.4.88
Vice Chairman.



Central Administrative Tribunal,
Cuttack Bench.

April 14, 1988/Roy, SPA.