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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 563 of 1992

Date of Decision: 31.3.1993

P.C. Barik and Others

Applicants

Versus

Union of India & Others

Respondents

For the applicants

Mr. B.R. Sarangi,
Advocate

For the respondents

Mr. Ashok Mishra
Standing Counsel
(Central Government)

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C O R A M:

THE HONOURABLE MR. K.P. ACHARYA, VICE-CHAIRMAN

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1. Whether the reporters of local newspapers may be allowed to see the judgment ? Yes
2. To be referred to reporters or not ? No
3. Whether His Lordship wishes to see the fair copy of the judgment ? Yes

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JUDGMENT

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MR. K. P. ACHARYA, VICE-CHAIRMAN, In this application under Section 19 of the Administrative Tribunals Act, 1985, the petitioners ~~sprays~~ for a direction to be issued to the opposite parties to fix the pay of the petitioners in the post of Lower Selection Grade Telegraph Masters according to F.R. 22(C) and to direct the opposite parties to fix the pay of the applicants in the post of Lower Selection Grade Telegraph Masters promoted from the post of A.T.M.s and by applying the ^{provisions} principle of F.R. 22(C).

2. Shortly stated the case of the petitioners (35 in number) is that they were appointed as Telegraphists on various dates starting from 1962 to 1967 in the scale of pay of Rs. 260/- to Rs. 480/-. Thereafter they were promoted to the post of Assistant Telegraph Master on various dates starting from 1972 to 1982 in the scale of pay Rs. 380/- to Rs. 560/-. While giving promotion to the post of Assistant Telegraph Master, the petitioners were given the benefit of F.R. 22(C). Controversy arises that Assistant Telegraph Masters were promoted to the post of Lower Selection Grade Telegraph Master. Hence this application has been filed with the aforesaid prayer.

2. No counter has been filed in this case. With the consent given by the counsel for both sides I have heard this case on merits and proposed to finally dispose it of.

3. I have heard Mr. B. R. Sarangi, learned counsel for the petitioners and Mr. Ashok Mishra, learned Standing Counsel. During the course of argument Mr. Sarangi submitted that the petitioners have already got the relief which is claimed before this Bench by virtue of Memo No. ST/24-18/92 dated

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3.2.1993 issued by the Government of India, in the Department of Telecommunications. Mr. Ashok Mishra, learned Standing Counsel filed the original letter addressed to him by the Department of Telecommunications vide letter No. ST/64-353/92 dated 24.3.1993. Mr. Mishra specifically stated that the departmental authority has given the relief claimed by the petitioners before this Bench.

4. In the circumstances stated above I am of opinion that this application has become infructuous and disposed of accordingly leaving the parties to bear their own cost.

5. The arrear financial benefits to which the petitioners are entitled be calculated and paid to the petitioners within 90 days from the date of receipt of a copy of this judgment; if not already paid.

6. It was submitted before me that against Sl.No.22 of Memo No. ST/24-18/92 dated 3.2.1993, there has been a typographical mistake mentioning the name of Shri B. Das as B. Sethi. Similarly it was stated before me that against Sl.No.3 there is also a typographical mistake viz. B. N. Mohapatra has been mentioned as S. N. Mohapatra. The departmental authorities are directed to find out which is the correct position and in case it is agreed, necessary corrections be made by the concerned authority.



[Signature]
31.3.93
VICE CHAIRMAN