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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

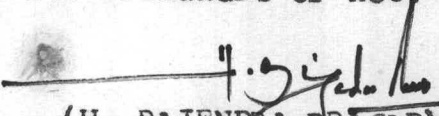
O.A. No. 537 OF 1993

Cuttack this the 25th day of November, 1994.

Kora Panda ... Applicant
Vrs.
Union of India & Others ... Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? No.
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not? No.


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

NOV 94

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH;CUTTACK.

O.A. No. 537 OF 1993

Cuttack this the 25th day of November, 1994.

CORAM:

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

....

SHRI KORA PANDA,
aged about 53 years,
S/o- Late Radhamohan Panda,
Deputy Postmaster, H.S.G.-I,
Berhampur (Ganjam).

... Applicant

By the Advocate

...

M/s. P.V. Ramdas,
P.V.B. Rao,
Advocates.

Vrs.

1. Union of India
represented by the Director
General (Posts), Dak Bhawan,
New Delhi-1.

2. Chief Postmaster General,
Orissa Circle,
Bhubaneswar-1.

3. Senior Superintendent of Post Offices,
Berhampur Division, Berhampur,
Ganjam.

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Respondents

By the Advocate

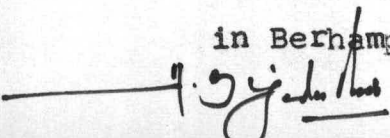
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Mr. Ashok Mishra,
Senior Standing Counsel (Central).

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ORDER

H. RAJENDRA PRASAD, MEMBER (ADMN.) : Sarvashri Kora Panda, the
applicant, and Narasingha Sahu II, both commenced their
career as Postal Assistants (then called Postal Clerks)
in Berhampur Postal Division on 2nd November, 1961,

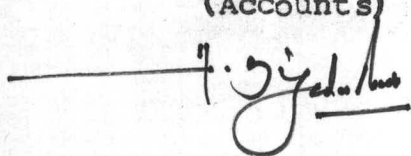


and 8th September, 1961, respectively. They qualified in the P. O. & R. M. S. Accountant Examination in 1967 and 1968, respectively. Shri Panda was appointed Accountant in Berhampur and ^{Shri Sahu in} Jeypore Head Post Office, after their success in the said examination. Both were permitted to officiate in the Lower Selection Grade as Assistant Postmaster (Accounts) on an adhoc, short-term, officiating basis, as under :

Kora Panda	Narsingha Sahu II
24. 9. 1970 - 13. 10. 1970 Berhampur HPO	27.2. 1969 - 31. 10. 1969 Jeypore HPO
1. 12. 1971 - 13. 2. 1972 Berhampur HPO	8. 4. 1971 - 1.9. 1971 Phulbani HPO
21. 12. 1972 - 31. 12. 1972 Phulbani HPO	20.12.1971 - 6.4. 1972 Phulbani HPO
17. 1. 1973 - 18. 2. 1973 Bhadrak HPO	26.8.1972 -10.11.1972 (LSG Accountant) Phulbani HPO
	12.4.1973 - 26.4.1973 Berhampur HPO
	7.5.1973 - 26.5.1973 Berhampur HPO
	29.7.1973 -13.8.1973 Berhampur HPO
	5.11.1973 -27.7.1975 (LSG Accountant) Berhampur HPO

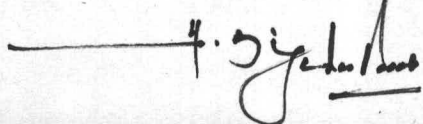
(Shri Panda declined officiating/adhoc promotion as LSG, APM (Accounts) in July, 1972).

2. Both were regularly promoted as Assistant Postmaster (Accounts) - Shri Panda on 21. 8. 1973 & ^{Shri Sahu on} 17. 10. 1975,



The pay of both officials was fixed at Rs. 324/- from 1. 1. 1973. However, when the pay of the officials was fixed on regular promotion to U.S.G., Shri Panda was given Rs. 425/- but Shri Sahu was given Rs. 470/- in the revised scales. This was an evident anomaly and there was no ostensible or justifiable reason to give a higher pay-fixation to Shri Sahoo. The error, however, was rectified subsequently and the amount erroneously over paid was recovered. Thus, both officials were restored to absolute parity at the point of their respective promotions to Lower Selection Grade. But when the revised scales on regular promotion to L. S. G came to operate in favour of the two officials, the junior, Shri Sahoo, drew a higher pay than Shri Panda. He represented to the authorities to rectify the 'anomaly' and to step-up his pay to the level of the pay drawn by his junior. The request was turned down. Hence this application.

3. The Respondents explain the apparent 'anomaly' by pointing out that Shri Panda declined an offer of officiating in a temporary vacancy that had arisen in July, 1972 in Phulbani H.O. (Annexure-R/1) and was also on leave during July/August, 1973 and was therefore unable to officiate in another temporary vacancy in Berhampur H.O. during that period. Owing



to this, the junior official, Sahoo, earned some increments which were not available to the applicant during the relevant time.

4. In view of the facts revealed on behalf of the respondents I am unable to concede the prayer of the applicant. The case is, therefore, disallowed. No costs.


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

B.K. Sahoo//