

2. ORDER DATED 03-11-2000.

This matter has been fixed today at 2.30 PM for passing orders on the question of admission. Applicant had earlier approached the Tribunal in O.A.No. 485/1997 which was disposed of in order dated 16-12-1997. In that O.A., the applicant's order of reversion was quashed on a technical ground that before passing such orders no show cause notice had been issued to him. Accordingly, the order of reversion was set aside and the Respondents were directed to issue a show cause notice to the applicant, hear him and pass appropriate orders in terms of the Statutory Rules. Against the order of the Tribunal the petitioner approached the Hon'ble High Court in OJC No. 391/98 and in that case, the Hon'ble High Court as an interim measure directed that the proceedings as directed by the Tribunal may continue but no final orders shall be passed in the matter. In this O.A., the petitioner has prayed for quashing the order dated 5.9.2000 at Annexure-10 rejecting his representation for revision of pay scale in the grade of Technical Asst. on the ground that the relevant instructions do not permit to put him in the level of technical Assistant A. It is also mentioned that applicant's case is pending before the Hon'ble High Court of Orissa and in terms of the order dated 12.1.1998 of the Hon'ble High Court is not possible to have his pay fixed in the revised pay scale of Technical Asst. A. From the above pleadings of the applicant in this O.A. it is clear that the Hon'ble High Court copy of which has not been enclosed, have directed

A.J.Jm

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

that in the proceedings initiated in accordance with the direction of the Tribunal in the earlier OA, no final orders should be passed without the leave of the Hon'ble High Court. It can not be said that the revision of pay scale asked for by the applicant in this OA is in no way connected with the show cause notice which has been issued to the applicant after the order of the Tribunal in the earlier OA filed by him. This is because in case the applicant is ultimately reverted to a lower post, it will become necessary to determine thereafter if revision of pay scale as requested by the applicant at this stage shall be justified. As the matter is subjudice before the Hon'ble High Court of Orissa and for the reasons indicated above, we hold that the OA at this stage is not maintainable before this Bench and is accordingly not admitted and is rejected.

*Formerly known
as Vice-Chairman*
3.11.2000

Member (Judicial)

Copies of order
on 2.11.2000 made
available to the court
for public.

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6.11.2000

*Ranjan
S. D.*