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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK.

Original Application No. 1280 of 2004  
Cuttack, this the 30<sup>th</sup> day of June, 2008

Suryamani Pati .... Applicant  
-Versus-  
Union of India & Ors. .... Respondents.

FOR INSTRUCTIONS

1. WHETHER it be sent to reporters or not?
2. WHETHER it be circulated to all the Benches of the Tribunal or not?

(JUSTICE K. THANKAPPAN)  
MEMBER (JUDICIAL)

  
(C.R. MOHAPATRA)  
MEMBER(ADMN.)

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Original Application No. 1280 of 2004  
Cuttack, this the 30<sup>th</sup> day of June, 2008

C O R A M:-

THE HON'BLE MR. JUSTICE K.THANKAPPAN, MEMBER (J)  
A N D  
THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (ADMN.)

Suryamani Pati, aged about 63 years, S/o.AinthyPati at present residing  
C/o.Nirmal Kumar Nayak, At-1239, Mahanadi Vihar, Po.Nayabazar, Cuttack-753  
004, Ex-FRO, All India Radio, Cuttack, Orissa.

... Applicant  
By legal practitioner :M/s. D.P.Dhalsamanta, P.K.Beher,  
Counsel.

-V e r s u s -

1. Union of India represented through its Director General, All India Radio, Akashvani Bhawan, Parliament Street, New Delhi-110 001.
2. Pay & Accounts Officer (IRLA) Ministry of Information and Broadcasting, AG CR Building, Indraprastha Estate, New Delhi-110 002.
3. Station Director, ALL India Radio, Cantonment Road, Cuttack-753 001.
4. Pay & Accounts, All India Radio, Akashvani Bhawan, Kolkata-1.

.... Respondents

By Legal practitioner- Ms.Swapna Mohapatra, ASC.

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ORDER

MR. C.R.MOHAPATRA, MEMBER (A):

Applicant, a retired employee of All India Radio, being aggrieved by  
the order of rejection of his prayer under Annexure-1 dated 06.12.2001, for

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stepping up of his pay at par with his junior Shri P.N.Mohanty, has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief(s):

- "(a) To quash the letter dated 06.12.2001 under Annexure-A/1;
- (b) to quash paragraph 4 of the letter dated 18.03.2004 under Annexure-A/2;
- (c) to direct the Respondents to step up the pay of applicant as that of Shri P.M.Mohanty, Programme Executive and pay the differential pay of the Applicant retrospectively;

And further be pleased to direct the Respondents to revise the pension of the Applicant retrospectively."

2. Respondents, in their counter, as well as in the further clarification filed in MA No. 6/2007 and MA No. 342/08 have vehemently opposed the prayer of the Applicant for stepping up of his pay at par with Shri P.M. Mohanty.

3. Heard Learned Counsel for both sides and perused the materials placed on record.

4. During hearing, Learned Additional Standing Counsel for the Respondents clarified that the Director General, All India Radio, New Delhi and

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the Pay and Accounts Officer, IRLA Group, New Delhi after a detailed examination of the case of the Applicant vis-a-vis Shri P.M.Mohanty reached a conclusion that the pay fixation of the applicant was/is in order and that the pay of Shri P.M.Mohanty was wrongly fixed by allowing him annual increment with effect from 01.08.1978 instead of 01.01.1979. Accordingly, the pay of Shri Mohanty was re-fixed vide office order dated 28.02.2007. It has further been clarified that even after re-fixation of pay of Shri Mohanty, the Applicant is still getting less pay as on 01.11.2000. Hence the pay of the Applicant has to be stepped up from Rs.10,000/- to Rs.10,250/- with effect from 01.11.2000 and from Rs.10,250/- to Rs.10,500/- with effect from 01.11.2001 and in this context, a request has already been made to the Directorate General, AIR New Delhi to step up the pay of the Applicant to the extent and to direct the PAO, IRLA to pay the difference of salary and Pension/Pensionary benefits to the Applicant at the earliest. Respondents have; therefore, sought eight weeks time to complete the process of settling the claim of Applicant and accordingly, prayed for dismissal of this OA.

Learned Counsel for the Applicant has canvassed no other grounds to take any different view than as has been disclosed by the Respondents. In the aforesaid circumstances, this Original Application is disposed of with a direction to the Respondents to ensure that the differential amount of pay and pension/pensionary benefits are released in favour of the Applicant within a period of eight weeks from the date of receipt of copy of this order. There shall be no order as to costs.

Kappan  
(JUSTICE K. THANKAPPAN)  
MEMBER (JUDICIAL)

Deb  
(C.R. MOHAPATRA)  
MEMBER (ADMN.)

KNM/PS.