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CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH, JODHPUR

ORIGINAL APPLICATION NO. 61/2005

DATE OF ORDER: 05th September, 2006

CORAM:

HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN

HON'BLE MR. J.P. SHUKLA, ADMINISTRATIVE MEMBER

1. Kunj Behari son of Shri C.M. Sharma, aged 49 years, HS-I,
2. Nathu Ram son of Shri Suraja Ram, aged 50 years, H.S. I,
3. Purakh Chand S/o Shri RamuRam, MES No. 367354, aged 52 years,

working as HS-I in the office of Garrison Engineer (North) Bikaner. All applicants residents of c/o Kunj Behari, B-171, Kanta Khaturia Colony, Shiv Bari, Bikaner.

.....Applicants.

VERSUS

1. Union of India through the Secretary, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Commander Works Engineer (Air Force), MES, Bikaner.
3. Garrison Engineer, (North) MES, Bikaner.

.....Respondents.

Mr. Vijay Mehta, counsel for the applicants.
Mr. Safi Mohd. Proxy counsel for
Smt. K. Parveen, counsel for the respondents.

ORDER (Oral)

The applicants were promoted as Highly Skilled Grade-II vide order dated 5th March, 2004 with effect from 15th October 1984. Thereafter, they were promoted as HS-I vide order dated 12th August 2004 with effect from 15th October 1985. However, since their pay has not yet been fixed, as such the applicants have prayed for a direction to the respondents to fix the pay of the applicants in promoted post as revised from time to time.




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2. The respondents in their reply have submitted that the pay fixation authority is LAO (A), Bikaner. The cases of the applicants were forwarded to LAO (A) Bikaner for fixation of pay and it was observed by the said authority that sanction of Government of India is required under F.R.S.R. 17 (1) for fixation of pay in retrospective promotion. The respondents also submit in their reply that the case regarding pay fixation for retrospective promotion can only be resubmitted after getting approval of Government of India which is in the process of being done.

3. Considering the stand taken by respondents in their reply, we are of the view that this O.A. can be disposed of with a direction to the respondents to seek the necessary approval of the Government of India for which they have already initiated the matter and is stated to be in process with a fixed time frame.

4. Thus, the O.A. is disposed of with direction to the respondents to forward the case of the applicants to the competent authority and take decision for pay fixation, as early as possible, but in any case within a period of six months from the date of communication of this order. The Original Application stands disposed of accordingly. No costs.




(J.P. Shukla)
Administrative Member


(Kuldip Singh)
Vice Chairman

Part II and III destroyed
in my presence on 11/4/14
under the supervision of
section officer (J) as per
order dated 3/10/14

[Signature]
Section officer (Record)

Received

[Signature]
11/11/14

OK
good
11/9