

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.88/2005.

Thursday this the 10th day of February 2005.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

1. T.Ahamedkoya, Senior Auditor,
Field Pay Unit, Agatti,
Pay & Accounts Department,
UT of Lakshadweep,
2. M.P.Abdul Kader, Senior Auditor,
Pay & Accounts, Field Pay Unit,
Kavaratti. Applicants

(By Advocate Shri.R.Ramadas)

Vs.

1. Union of India, represented by its
Secretary,
Ministry of Home Affairs,
New Delhi.
2. The Administrator,
Union Territory of Lakshadweep,
Secretariat, Kavaratti-682 555.
3. The Secretary, Ministry of Finance &
Company Affairs, Department of
Expenditure, New Delhi.
4. The Assistant Controller General of
Accounts, Department of Expenditure,
New Delhi. Respondents

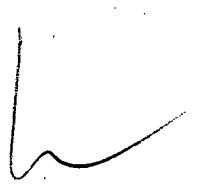
(By Advocate Shri PJ Philip, ACGSC(R.1,3&4)
(By Advocate Shri Shafik M.A.(R2)

The application having been heard on 10.2.2005,
the Tribunal on the same day delivered the following:

O R D E R (Oral)

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicants are working as Senior Auditors on regular basis in the Field Pay Unit Agaatti under the Pay & Accounts Department, UT of Lakshadweep in the pay scale Rs.5000-150-8000. The applicants were promoted to that post on different dates. The Ministry of Company Affairs, Department of Expenditure vide



O.M. dated 28.2.2003 has granted higher pay scale to the Accountants (UDC), Senior Accounts Officers and Assistant Accounts Officers in that Department. According to the applicants this was implemented in other Union Territories like Delhi and Andman & Nicobar Islands vide A-2 and A-3 orders. The applicants are not being granted the higher pay scale. The applicants 1 and 2 have made Annexure-A4 and A-5 representations respectively which are not yet responded to. Aggrieved by the inaction on the part of the respondents the applicants have filed this O.A. seeking the following reliefs.

- i) to declare that the applicants are entitled to get the higher pay scale of Rs.5500-175-9000 as the other PAOs in India has already been implemented the same.
- ii) to direct the 2nd respondent to consider and pass orders on Annexure A4 and A5 representations submitted by the applicants forthwith.

2. When the matter came up before the Bench Shri R.Ramadas, learned counsel appeared for the applicants, Shri P.J.Philip, ACGSC appeared for R.1,3&4 and Shri Shafik M.A. learned counsel appeared for R-3. Learned counsel for the applicants submitted that the applicants would be satisfied if a limited direction is given to the 2nd respondent to consider and dispose of the representations made by the applicants in the light of A-1 order and to give a speaking order within a limited time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

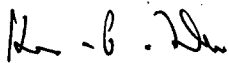
3. In the interests of justice, this Court directs the 2nd respondent to consider and dispose of A-4 and A-5 representations



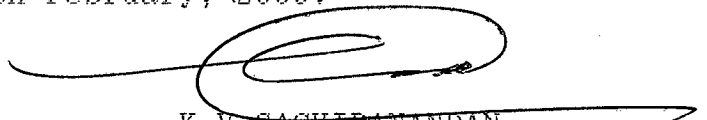
in the light of A-1 order and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

4. O.A. is disposed of at the admission stage itself. In the circumstance, no order as to costs.

Dated the 10th February, 2005.



H.P.DAS
ADMINISTRATIVE MEMBER



K.V.SACHIDANANDAN
JUDICIAL MEMBER

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