

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 100/2002

Monday, this the 4th February, 2002.

CORAM :

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE SHRI T.N.T. NAYAR, ADMINISTRATIVE MEMBER

Vimala Raj,
W/o Late A.J. Balsetraj,
Examiner of Stores, DGS&D,
Ernakulam, Cochin-682018,
residing at Market Road,
Thekkumbhagam, Tripunithara. ... Applicant

(By Advocate Mr. T.O. Xavier)

Vs

1. Union of India, rep. by the Secretary to the Government of India & The Director General of Supplies & Disposals, (Ministry of Commerce, Department of Supply), New Delhi - 110001.
2. The Director of Quality Assurance, (Ministry of Commerce, Department of Supply, Directorate General of Supplies & Disposals), Shastri Bhavan, No.26, Haddows Road, 4th Floor, Chennai - 6. ... Respondents

(By Shri C. Rajendran, SCGSC)

The application having heard on 4.2.2002, the Tribunal on the same day delivered the following :

ORDER

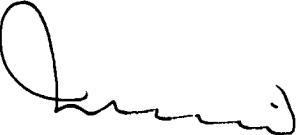
HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN

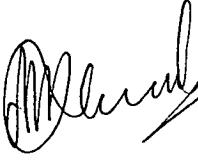
The applicant, Clerk, D.G.S. & D, Ernakulam is aggrieved that he has not been granted the due pay scale although similarly situated persons have been granted. The applicant made representation A2 to the 2nd respondent on 1.12.2001 seeking the pay scale of Rs.1600-2660 with effect from 1.1.1986. The said representation is still pending. The applicant has therefore filed this application to direct the respondents to extend the benefit of the declaration in Annexure A1 order of this Hon'ble Tribunal to the applicant also, with consequential benefits arising therefrom, within a time limit, as may be found just and proper by this Hon'ble Tribunal.

2. When the application came up for hearing, Shri C. Rajendran, SCGSC took notice for respondents. The counsel on either side agreed that that the application may be disposed of giving direction to the 2nd respondent to consider the representation of the applicant and to give an appropriate reply within a reasonable time in the light of the Judgements of the Calcutta Bench of the Tribunal in OA 757/1990 and Madras Bench of the Tribunal in OA 950/2000 and to extend to the applicant the benefits if he is similarly situated.

3. In the light of the submission made by the counsel on either side, the application is disposed of directing the 2nd respondent to consider the A2 representation of the applicant in the light of the Judgements of the Calcutta Bench of the Tribunal in OA 757/1990 and Madras Bench of the Tribunal in OA 950/2000 and to dispose of the representation. We also direct that if the applicant is found similarly situated like the applicants in those cases, the same benefits given to them shall be made available to the applicant also within a period of three months from the date of receipt of a copy of this order. No costs.

Dated the 4th February, 2002.


T.N.T. NAYAR,
ADMINISTRATIVE MEMBER


A.V. HARIDASAN,
VICE CHAIRMAN

oph APPENDIX

Applicant's Annexure:

1. A-1 : A true copy of the order in OA 950/2001 of the Central Administrative Tribunal, Ernakulam Bench dt.29.10.2001.
2. A-2 : A true copy of the representation submitted by petitioner before the 2nd respondent.

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12.2.02