

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.138/2003.

Monday this the 24th day of February 2003.

CORAM:

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

1. V.K.Gangadharan,
Assistant Director,
Sports Authority of India,
Water Sports Centre,
Alappuzha (Kerala).
2. V.K.Sukumaran,
Assistant Director,
Sports Authority of India,
Acquatic Complex,
Training Centre,
Thrissur-680020 (Kerala). Applicants

(By Advocate Shri.K.S.Bahuleyan)

Vs.

1. Union of India rep. through the Secretary,
Ministry of Youth Affairs & Sports,
Shastri Bhavan, New Delhi.
2. Union of India through the Secretary,
Ministry of Finance,
North Block, New Delhi.
3. The Secretary,
Sports Authority of India,
Jawaharlal Nehru Stadium,
New Delhi-110003.
4. The Regional Director,
Sports Authority of India.
Netaji Subhas Southern Centre,
Bangalore-560 056. Respondents

(By Advocate Shri M.Rajeev, ACGSC(R.1&2)

(By Advocate Shri Govindh K.Bharathan.(R.3&4)

The application having been heard on 24.2.2003,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER

The two applicants herein, working as Assistant Directors
under the Sports Authority of India at Alleppey and Trichur, seek
a declaration from this Tribunal to the effect that they are

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entitled to the pay scale of Rs.1640-2900 w.e.f. 1.1.86 as has been granted to their juniors, with consequential arrears of pay.

2. It would appear that an identical claim was upheld by Hon'ble High Court of Delhi in its order in C.W. No.3436/97 dated 16.10.98, following which the Central Administrative Tribunal, Principal Bench extended the same benefit to three of the applicants' juniors, who were before the Tribunal in O.A.1115/02 (A4) dated 30.4.2002. The applicants' representations A7 dated 7.9.02 and A-8 dated 16.8.02 respectively are pending before the Secretary, Sports Authority of India, the 3rd respondent.

3. When the matter came up before the Bench for hearing on admission, Shri K.S. Bahuleyan appeared for the applicant, Shri M.Rajeev, ACGSC has taken notice for the respondents 1 & 2 and Shri Govind K Bharathan took notice for the respondents 3 & 4. Learned counsel for the applicant submitted that, if the representations A-7 and A-8 were considered by the competent respondent in the light of the CAT, Principal Bench's order in O.A.1115/2002 dated 30.4.2002 and appropriate orders passed, the purpose of the O.A. would be served.

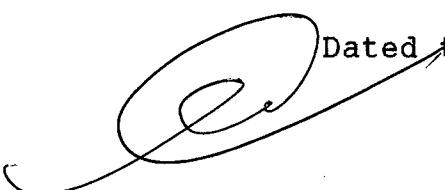
4. Shri M.Rajeev, ACGSC and Shri Govindh K.Bharathan, learned counsel for the respondents 3 and 4 agree that such a course of action can be taken within a specified time, as the Tribunal might direct.

5. In the light of the above submissions made on behalf of

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the respondents, we consider it appropriate to dispose of the application by directing the competent respondent to consider the applicants' representations A-7 and A-8, having regard to the decision of the Principal Bench in O.A.1115/02 dated 30.4.2002 and pass appropriate speaking order within a period of two months from the date of receipt of a copy of this order. We direct the respondents to do so accordingly.

6. O.A. is disposed of as above. No costs.

 Dated the 24th February , 2003.


K.V.SACHIDANANDAN
JUDICIAL MEMBER

T.N.T.NAYAR
ADMINISTRATIVE MEMBER

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