

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

D.A. NO. 196/94

Wednesday, this the 8th day of June, 1994.

HON'BLE SHRI N. DHARMADAN (J)
HON'BLE SHRI S. KASIPANDIAN (A)

T.I. Abraham, Draughtsman,
Divisional Engineer of Phones Office,
Calicut, now retired and residing
at Koikeril House, Nellicode P.O.,
Calicut. .. Applicant

By Advocate Shri T.M. Abdul Latiff.

v/s

1. Secretary to Government,
Ministry of Communications,
New Delhi.
2. Chief General Manager, Telecom,
Kerala Circle,
Trivandrum.
3. General Manager, Telecom,
Calicut. .. Respondents.

By Advocate Shri T.P.M. Ibrahim Khan, ACGSC.

O R D E R

N. DHARMADAN (J)

Applicant is a retired Divisional Engineer of Phones Office. He is aggrieved by the denial of higher scale of pay of Rs.2000-3200 in the light of the Pay Commission's report, notionally with effect from 1.1.73 and actually from 16.11.78 the date on which the higher scale was introduced in C.P.W.D.

2. The respondents in the reply have admitted the case of the applicant as having been covered by the decision of the Tribunal in D.A. No.666/1991. According to

case
the respondents, applicant's ^{case} was considered in the light
of the earlier decision of this Tribunal and he was granted
the scale of pay of Rs. 425-700 in the pre-revised scale
and his pay has been fixed notionally with effect from
22.8.1973 with actual financial benefits from 16.11.78 as
has been granted to the applicants in O.A.-666/ of 1991.

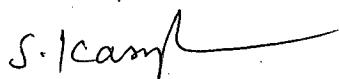
"Accordingly an amount of Rs.40817/- has been
paid to the applicant as arrears of pay and
allowances for this period from 16.11.78 to
30.9.92, the date on which he retired."

The applicant has not filed any rejoinder objecting the
above statements in that reply and the calculations thereof
and the averments made by the respondents.

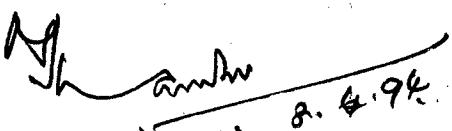
3. The learned counsel for the respondents submitted
that in view of the subsequent order and consequent disbursal
of the amount, the O.A. ^{has} ~~become~~ infructuous and the same
can be closed as infructuous.

4. We are satisfied that in the light of the statements
in the reply the application has become infructuous and
accordingly we close the same after recording the above
submission.

No costs.


(S. KASIPANDIAN)

MEMBER (A)


(N DHARMADAN)

MEMBER (J)

8.6.94.

8.6.1994.