

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.203/2000

Friday, this the 6th day of July, 2001.

CORAM;

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

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

C.K.Haridasan,  
Deputy General Manager Telecom(Operations),  
O/o the General Manager Telecom,  
Palakkad. - Applicant

By Advocate Mr Shafik M.A.

Vs

1. Union of India represented by  
the Chairman,  
Telecom Commission  
Sanchar Bhavan,  
Ashoka Road,  
New Delhi-110 001.
2. The Chief General Manager Telecom,  
Kerala Circle,  
Trivandrum-33. - Respondents

By Advocate Ms A.Rajeswari, ACGSC

The application having been heard on 6.7.2001, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks the following reliefs:

- 1) To call for the records relating to Annexure A-1 to A-11 and to quash A-1, being illegal and arbitrary and to declare that the applicant is entitled to get the benefit of fixation of pay in upgraded scale as per Annexure A-2 with effect from 12.5.1996 based on his services in Group 'A' cadre including officiating periods;



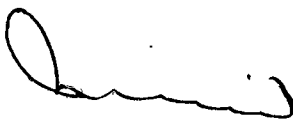
2) To direct the respondents to fix the pay of the applicant strictly as per Annexure A-2, counting his officiating service also as included in the 13 years specified as per Annexure A-2 and to disburse the arrears of the pay and allowances with 18% penal interest."

2. When the O.A. was taken up, it is submitted by the learned counsel on both sides that in the light of A-12, A-1 and A-2 orders are liable to be quashed and the respondents are to be directed to pass fresh orders in the light of A-12.


3. Accordingly, A-1 and A-2 are quashed. The second respondent who is said to be the competent authority, shall pass fresh orders as to the fixation of pay of the applicant in the light of A-12 within a period of six weeks from the date of receipt of copy of this order.

4. The O.A. is disposed of as above. No costss.

Dated, the 6th July, 2001.



T.N.T.NAYAR  
ADMINISTRATIVE MEMBER



A.M.SIVADAS  
JUDICIAL MEMBER

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LIST OF ANNEXURES REFERRED TO IN THE ORDER:

1. A-1: True copy of the letter No.2-50(19)/99-PAT dated 30.12.99 issued by second respondent.
2. A-2: True copy of the letter No.Es/FPC/97 dated 5.1.98 issued by the 2nd respondent.
3. A-11: True copy of the judgement dated 28.9.99 in O.A.1072/99 of this Tribunal.
4. A-12: True copy of the order No.DoT No.1-4(59)/98-PAT dated 26.4.2001 issued by the 1st respondent.