

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 206/90
T.A. No.

488

DATE OF DECISION 4-10-1990

PJ Bruno & 4 others Applicant (s)

Mr P Jacob Varghese Advocate for the Applicant (s)

Versus

Union of India & another Respondent (s)

Mr SV Balakrishna Iyer, ACGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. SP Mukerji, Vice Chairman

&

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Mr SP Mukerji, Vice Chairman)

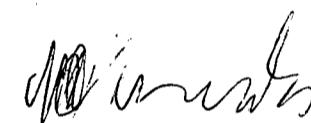
The applicants in this case are Upper Division Clerks working in the Central Excise Department. Their grievance is that the special pay of Rs.70/- per month available to them for doing complex nature of work was discontinued vide the impugned order dated 15.2.1990 while their opposite numbers in the Income Tax Department i.e. the U.D.Cs similarly situated in that Department have been allowed to draw the special pay.

2. In the counter affidavit the respondents have made available the order dated 6.7.1990 (Annexure-R1(A)) by virtue of which the special pay has been restored to the applicants

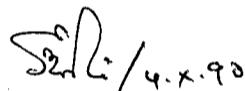
and others similarly situated with retrospective effect, pending final decision regarding creation of the cadre of Tax Assistants in the Customs and Central Excise Department.

In view of the aforesaid order dated 6.7.1990, the learned counsel for the applicant does not wish to press the original application with liberty to come up before this Tribunal, in accordance with law, if they feel aggrieved in future by any decision which may be taken in the matter.

3. In view of the above, we close this application with liberty to the applicant, to move appropriate legal forum, in accordance with law, if they feel aggrieved by the final decision taken by the Government in the matter.



(AV HARIADASAN)
JUDICIAL MEMBER



(SP MUKERJI)
VICE CHAIRMAN

4-10-1990

trs