

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 286/93

Wednesday, this the 19th day of January, 1994

SHRI N. DHARMADAN, MEMBER (J)
SHRI S.KASIPANDIAN, MEMBER(A)

1. M.N.Asokan,
Block No.9, C/18 P&T Quarters,
Vellakinar, Alapuzha.
2. C. Stanly,
Jannet Bhavan,
Engineering College PO,
Trivandrum. Applicants

By Advocate Shri P.V.Mohanan

v/s

1. Union of India, rep. by
Secretary, Min. of Communications,
Sanchar Bhavan, New Delhi-1.
2. The Chairman, Telecom Commission,
New Delhi.
3. The Director General,
Dept. of Telecommunications,
New Delhi.
4. The Chief General Manager of Telecom,
Kerala Telecom Circle,
Trivandrum-33.
5. The Supdt. Engineer,
Telecom Civil Circle,
Trivandrum. Respondents

By Advocate Shri S.Krishnamoorthy, ACGSC.

ORDER

N. DHARMADAN

Applicants are working as Work Assistants in the Telecom Civil Section. Their grievance is against the denial of revised scale of pay with retrospective effect from 1979, on the basis of Annexure-III judgment of the Hyderabad Bench of the Tribunal in OA 203/89, inspite of their eligibility and requests.

..... 2/-

2. The applicants submit that they are doing the identical duties and responsibilities both quantitatively and qualitatively as that of the Work Assistants in the P&T (Civil). Work Assistants in P&T (Civil Wing) were also doing the same duties and responsibilities as that of their counterpart in CPWD who were given revised scale of Rs.330-480 w.e.f. 22.9.79, on the basis of an Award of the Board of Arbitration when the same was accepted by the Government. The Work Assistants in the P&T (Civil Wing), Hyderabad filed OA 203/89 and Annexure-III is the judgment. The applicants submitted Annexures-V & VI representations seeking the benefit of Annexure-III judgment when that judgment was implemented passing Annexure-IV order, dated 26.11.90. The representations submitted by the applicants have not been disposed of so far.

3. The learned counsel for applicants submitted that in view of the delay in disposal, this Tribunal should issue a mandamus, to the 3rd respondent, the competent authority, directing him to pass appropriate orders on the representations considering the judgment, Annexure-III. If the 5th respondent forwards the above representations to the 3rd respondent, it would be convenient for him to consider and pass orders without any delay. The learned counsel also submitted that the freedom of the applicants to supplement the representations Annexures-V and VI by furnishing additional materials in support of their contentions may also be reserved. We have also heard the learned counsel for the respondents.

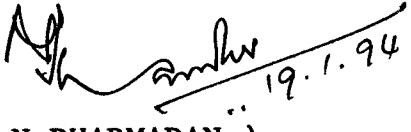
4. Having regard to the facts and circumstances, we are satisfied that the request of the applicants requires consideration in the interest of justice. Accordingly, we direct the 5th respondent to place Annexures-V and VI

representations before the 3rd respondent for consideration within one month from the date of receipt of a copy of this judgment. The applicants are given freedom to supplement Annexures-V and VI by filing additional materials. They shall file additional representations before the 3rd respondent within a month from the date of communication of this judgment. If the 3rd respondent receives Annexures-V and VI as directed above from the 5th respondent and the supplementary representations from the applicants, he shall consider and dispose of the same in accordance with law in the light of Annexure-III judgment within a period of six months from the date of receipt of the representations.

5. The application is disposed of as above. There will be no order as to costs.


(S.KASIPANDIAN)

MEMBER(A)


(N.DHARMADAN)
19.1.94
MEMBER(J)

v/-