

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 311 of 1995

Tuesday, this the 18th day of February, 1997

CORAM

HON'BLE MR A M SIVADAS, JUDICIAL MEMBER

P. Balachandran,
Superintendent,
Central Telegraph Office,
Thrissur: Residing at
Pandottu House,
Chenthrapini P.O., Thrissur.

... Applicant

By Advocate Mr S. Krishnamoorthy.

Vs

1. The Chief General Manager, Telecom,
Kerala Circle,
Thiruvananthapuram.
2. The Chief General Manager, Telecom,
Ahmedabad.
3. Director General, Telecom,
Sanchar Bhavan, New Delhi.
4. Union of India represented by
its Secretary,
Ministry of Communications,
New Delhi.

... Respondents

By Advocate Mr Mary Help John David J , ACGSC

The application having been heard on 18th February, 97
the Tribunal on the same day delivered the following:

O R D E R

Applicant is aggrieved by the refusal of the respondents to step up his pay on par with the pay of M D Patel, Superintendent, Central Telegraph Office, Ahmedabad, who is junior to him in the same cadre. Applicant prior to his promotion to Group-B as Superintendent, was working as Assistant Telegraph Traffic Superintendent, Group 'C'. On promotion, his pay was fixed at Rs 2375/- with date of next increment on 1.12.93 in the scale of pay of Rs. 2000 - 60- 2300 -75- 3200. According to him, his junior, M D Patel who was promoted to the post of

Superintendent subsequent to his promotion was granted pay fixation at Rs 2375/- with date of next increment on 1.11.92. The Junior, MD Patel got that fixation due to his ad hoc promotion a number of years earlier, while he was working as Assistant Telegraph Traffic Superintendent. Applicant did not get an opportunity or chance for officiation because he was not offered the post. Applicant says that there is anomaly in fixation of his pay, and therefore, his pay is to be stepped up at par with that of his junior M D Patel.

2. Respondents contend that M D Patel though junior to the applicant got his pay fixed higher than the pay fixed for the applicant, because M D Patel was officiating in higher post while the applicant was working in a lower post. Applicant was promoted as Superintendent only on 17.7.92, and thus his pay is fixed as per rules which is less than that of his junior M D Patel.

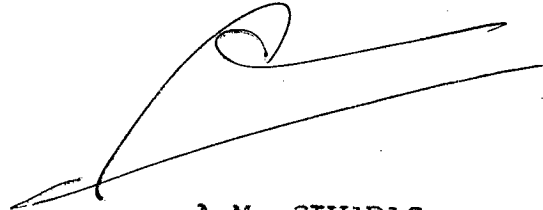
3. When the Original application came up for hearing, learned counsel appearing for the applicant submitted that the applicant is satisfied, if he is permitted to file a fresh representation before 1st respondent, since he could not set out all the factual and legal grounds in the earlier representation submitted by him to 1st respondent. Learned counsel for the respondents submitted that there is no objection for permitting to submit a fresh representation before the 1st respondent by the applicant.

4. Accordingly, applicant is permitted to submit a fresh representation before the 1st respondent stating all the factual and legal grounds in detail within one month from today. On receipt of the fresh representation

the 1st respondent shall consider the same and dispose it of on merits within a period of four months from thereafter.

5. Original application is disposed of as above. No costs.

Dated the 18th of February, 1997.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line.

A M SIVADAS
JUDICIAL MEMBER

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