

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 357/99

Monday, this the 12th day of April, 1999.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR BN BAHADUR, ADMINISTRATIVE MEMBER

M.M. Thomas,
Senior Telecom Office Assistant,
Office of the General Manager,
Telecoms, Kottayam.

...Applicant

By Advocate Mr. K.R.B. Kaimal

Vs.

1. Union of India represented by the Secretary, Department of Personnel & Training, New Delhi.
2. The Telecom Commission, represented by its Secretary, New Delhi.
3. The Chief General Manager, Telecommunications, Kerala Circle, Trivandrum.

...Respondents

By Advocate Mr. Govindh K. Bharathan, SCGSC

The application having been heard on 12.4.99, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

The applicant seeks the following reliefs:

- (i) an order quashing setting aside Annexure A-7 order.
- (ii) an order directing the 3rd respondent to refix the pay of the applicant at Rs. 332/- in the scale of Rs. 260-440 with effect from 25.1.1983 with all consequential benefits of refixation of pay in the revised scales and promoted posts and to disburse arrears of salary due to the applicant based on such refixation.

(iii) an order directing the 3rd respondent to consider Annexure A-8 representation in the light of the judgement of the Supreme Court reported in 1997 (1) SCC 641 and to issue appropriate orders in accordance with law.

2. When the O.A. was taken up, the learned counsel appearing for the applicant submitted that it is suffice to direct the 3rd respondent to consider and pass appropriate orders on A-8 representation referring to the ruling reported in 1997 (1) SCC 641. The learned counsel appearing for the respondents submitted that there is no objection in adopting such a course.

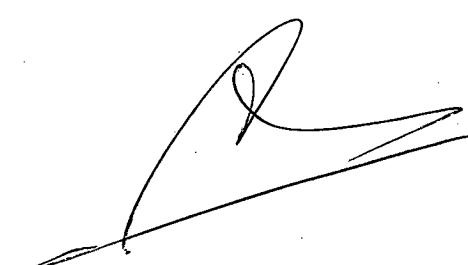
3. Accordingly, the 3rd respondent is directed to consider A-8 representation dated 15.9.98 and pass appropriate orders referring to the ruling reported in 1997 (1) SCC 641 within three months from the date of receipt of a copy of this order.

4. O.A. is disposed of as above. No costs.

Dated the 12th day of April, 1999.

B.N. Bahadur

B.N. BAHADUR
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

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LIST OF ANNEXURES REFERRED TO IN THE ORDER

1. Annexure A-7:

True copy of the Order No. AP/10-161/94 dated 1.6.95
issued by the 3rd respondent.

2. Annexure A-8:

True copy of the representation submitted by the
applicant to the 3rd respondent dated 15.9.98.