

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 364/99

Friday, this the 9th day of April, 1999.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR BN BAHADUR, ADMINISTRATIVE MEMBER

1. P.R. Sahadevan,
S/o. Raghavan,
Residing at: Pudussery House,
Nettoor P.O., Maradu Via,
Ernakulam. Syrang of Lascar
Naval Ship Repair Yard,
Kochi.
2. A.M. Yusuf,
S/o. Abdul Kareem,
Residing at: Basha Villa,
Legenath Ward, Alappuzha. - do -
3. P.K. Dinesan,
S/o. P.K. Kesavan,
Residing at: Puthuveetil House,
Panambaukadu, P.O. Vallarpadam,
Ernakulam. - do -
4. T.J. Henry,
S/o. John,
Residing at: Terath House,
No. 9/281, Fort Kochi. - do -
5. P.P. Chakran,
S/o. Paramu,
Residing at: Puduval Parambil
House, Panambukadu,
Vallarpadam P.O., Ernakulam. - do -

...Applicants

By Advocate Mr. T.C. Govindaswamy

Vs.

1. Union of India represented by
The Secretary to the Government of India,
Ministry of Finance, New Delhi.
2. The Secretary,
Ministry of Defence, New Delhi.
3. The Chief of the Naval Staff,
New Delhi.
4. The Flag Officer,
Commanding-in-Chief, Headquarters,
Southern Naval Command, Kochi-4.

...Respondents

By Advocate Mr. Govindh K. Bharathan, SCGSC

The application having been heard on 9.4.99, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

The applicants seek to declare that the grant of scale of pay of Rs. 4000-6000 to the Syrang of Lascars, who were drawing pre-revised scale of Rs. 1320-2040, on and with effect from 1.1.96 on par with their subordinates viz. Sukhanis who are now granted the scale of Rs. 4000-6000 against pre-revised scale of Rs. 950-1550 is arbitrary, discriminatory unreasonable and unconstitutional and also that they are entitled to be granted the scale of Rs. 4500-7000 on and with effect from 1.1.96 with consequential benefits.

2. The learned counsel appearing for the respondents submitted that there is an anomaly in this case and the fourth respondent has taken up the matter before the anomaly committee for rectification of the anomaly and orders are being awaited.

3. It is submitted by the learned counsel appearing for the applicants that it is suffice to direct the second respondent to consider and dispose of A-3 representation within a time frame. Since the matter has already been taken up by the fourth respondent before the anomaly committee and the request of the applicants is to rectify the anomaly, it is only fair and proper to direct the second respondent to dispose of A-3 representation within a reasonable time.

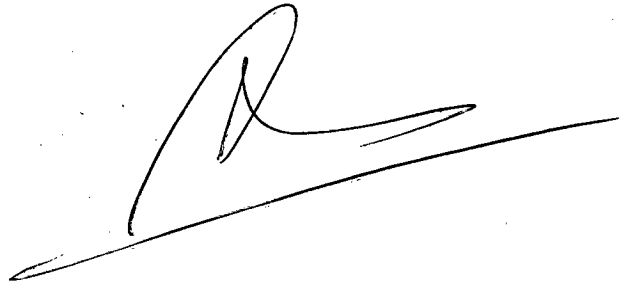
4. Accordingly, the second respondent is directed to consider and dispose of A-3 representation within six weeks from the date of receipt of a copy of this order.

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

Dated the 9th 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

Annexure A-3:

True copy of the representation dated 13.3.998 submitted
by the fifth applicant to the respondents 2 to 4.