

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.435/2009

This the 28th day of October, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)
Hon'ble Dr. A.K. Mishra, Member-A

1. K.B. Trivedi aged about 48 years S/o Sri Gopi Nath Trivedi R/o 1/83, Village Huseirya, Vineet Khand Gomtinagar, Lucknow.
2. Madhulika Srivastava aged about 40 years D/o Sri Chandra Prakash Arya R/o 3/472 Vivek Khand Gomtinagar, Lucknow.

.....Applicant

By Advocate: Sri A. Moin.

Versus

1. Union of India, through Secretary, Ministry of Information and Broadcasting, Government of India, New Delhi.
2. Director (P&EA), Office of Director General, All India Radio, New Delhi.
3. Prasar Bharti Broadcasting Corporation of India through its Chief Executive Officer, New Delhi.
4. Director General, All India Radio, Akashwani Bhawan, Sansad Marg, New Delhi.
5. Director, All India Radio, Lucknow.

.....Respondents

By Advocate: Shri Atul Dixit.

ORDER (Oral)

By Ms. Sadhna Srivastava, Member-J

The applicants are aggrieved by the inaction of the respondents in not allowing the financial benefits/emoluments for the post of Programme Executive.

2. The facts as alleged in the OA are that both the applicants were appointed as Transmission Executive. They were promoted as Programme Executive in 2005 on ad-hoc basis. They were given financial emoluments of the said post.



In the year 2006 their ad-hoc promotions were cancelled and they were reverted from the post of Programme Executive. Again vide order dt.11.5.2006 they were given the charge of Programme executive without any financial emoluments. The copy of the order dt.11.5.2006 is on record as Annexure A-4. In pursuance of the said order, it is alleged that both the applicants have been continuing as Programme executive and performing the duties of Programme executive. As the financial benefit as attached to the post of Programme executive are not being paid to them therefore, this OA. It is contended by the applicant that similar O.A. i.e. O.A.No.470/2007 has already been allowed by this Tribunal vide order dt.4.8.2009 and the respondents were directed to pay the emoluments of the post of Programme executive. It is further contended that the aforesaid order has already been complied by the respondents. The applicants have filed representations claiming the pay scale of Programme executive but no order has been made by the respondents.

3. At this stage, the counsel for applicants prayed that a direction be issued to the respondents to decide the pending representations within the stipulated time.

4. The counsel for respondents has no objection to the prayer made by the applicants.

5. Keeping in view the submissions made by the counsel for the parties, the OA is disposed of with a direction to the respondents to consider the representation of the applicants (as contained in Annexure-A-1) in the light of judgment passed in O.A.No.470/2007 within a period of three months from the date of receipt of the copy of this order. It is need less to say



that we have not expressed any opinion on the merits of the case.

6. The OA is accordingly disposed of without any order as to costs.



(Dr. A.K. Mishra)
Member-A



(Sadhna Srivastava)
Member-J

Amit/-