

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 551/2006

This the 4 th day of December, 2009

Hon'ble Ms.Sadhna Srivastava, Member (J)

Miss. Nirmal Chandwani aged about 61years d/o of Sri J.M. Chandwani Ex. S.B. Supervisor, Military Exchange Central Command Signal Regiment , Lucknow and resident of 98 , Diamond Diary Quarters, Udaiganj, Lucknow.

Applicant

By Advocate: Sri Mohd. Aarif for Sri Mohd .Wasim

Versus

1. Union of India through the Secretary, Ministry of Defence, New Delhi.
2. The Principal Controller of Defence Accounts, Central Command, Lucknow Cantonment Lucknow.
3. The Commanding Officer, Central Command, Signal Regiment, Lucknow.

Respondents

By Advocate: Sri Atul Dixit for Dr. Neelam Shukla

ORDER (ORAL)

Hon'ble Ms. Sadhna Srivastava, Member (J)

The applicant , who retired on 21.8.2003 as S.B . Supervisor form the service of respondents, has prayed for directing the opposite parties to refix her pay since 1996 in accordance with rules as indicated in Annexure No.A-1 and also to pay balance of salary and pension and other retrial benefits accordingly.

2. The facts in brief are that the applicant was initially appointed as Civilian Switch Board Operator in 1964. In due course, she was promoted to the post of S.B. Supervisor in the year 2003.She retired on 21.8.2003. It is alleged in the O.A. that Chandigarh Bench of this Tribunal issued direction dated 27.2.2004 in O.A.No. 450/2002 for giving certain pay scale to S.B. Supervisor and in implementation of those direction, pay scale was given to them but the applicant was not rightly placed in the pay scale. She filed representation before the respondents and her pay was fixed at Rs. 6025/-. But again the applicant's pay was wrongly fixed. Therefore, she has field the instant O.A. for a direction to the respondents to fix the correct pay of the applicant.

3. During the course of arguments, learned counsel for applicant informed that w.e.f.1.1.96, the applicant's pay was fixed at Rs. 6025/- in the pay scale of Rs. 5500-175-9000 but it ought to have been fixed as Rs. 6200/- ,

4. The respondents have filed C.A. stating therein that initially the applicant filed a representation for fixing of her pay in pay scale of Rs. 5500-9000 at Rs. 6025/- which has already been granted by the respondents. Therefore, the O.A. is totally misconceived and deserves to be dismissed.

5. I think, this O.A. can be disposed of with a direction to the applicant to file a detailed representation in regard to subsisting grievance within a period of one month from today and respondent No. 2 will consider the same and decide by reasoned and speaking order as per rules within a period of 3 months from the date of receipt of copy of representation. Ordered accordingly. No order as to costs.


(Ms. Sadhna Srivastava)
Member (J)

HLS/-