

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 448/2009

This the 9th day of November, 2009

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

Smt. Anita Chatterji aged about 58 years d/o late Sri J.S. Goel, resident of A-104, CSI Towers, Vipin Khand, Gomti Nagar, Lucknow at present working as Secretary, Govt. of U.P.

Applicant

By Advocate: Sri Surendran P

Versus

1. Union of India through the Secretary, Ministry of Personnel Public Grievances and Pensions (Department of Personnel and Training) New Delhi.
2. State of U.P., through the Chief Secretary, Secretariat, U.P., Lucknow.
3. The Principal Secretary, Appointment (Section 1), Govt. of U.P., Secretariat, Lucknow.
4. Joint Secretary, I.R.L.A., Cheque Section, Govt. of Uttar Pradesh, Lucknow.

Respondents

By Advocate: Sri A. Agnihotri for Respondent No.1

Sri Pankaj Awasthi for Sri A.K. Chaturvedi for Respondent No.2 to 4

ORDER (ORAL)

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

Heard counsel for the parties.

2. The applicant claimed pay protection. Initially the applicant joined the Provincial Civil Service on 30.3.75. Thereafter, she was appointed in IAS cadre on 21.2.2005. Her grievance is that in the PCS cadre, she was drawing a basic pay of Rs. 19,100/- and accordingly, the pay of the applicant was fixed at Rs. 15,900 plus Rs. 3200/- (total Rs. 19,100) in IAS cadre. On 5.7.2005, the pay slip was issued, reducing the pay of the applicant from Rs. 19,100/- to Rs. 18,300/-. She immediately moved an application giving the factual details and requested that her pay may be protected and she may be given basic pay of Rs. 19,100/- which she was drawing in PCS cadre. She filed several reminders but no order has yet been passed.



3. It is contended on behalf of the applicant that similarly situated officers who were earlier and subsequently appointed to the I.A.S. on promotion have been given pay protection but the applicant has been singled out.

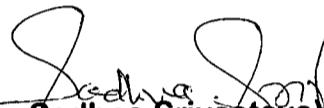
4. In view of the above, the O.A. is disposed of with a direction to the respondent No. 2 to decide the pending representation of the applicant dated 15.2.2008 as contained in Annexure No. A-10 and pass a reasoned and speaking order as per rules within a period of 3 months from the date of receipt of copy of this order and the applicant is also directed to supply copy of the representation along with copy of this order to respondent No. 2.

No order as to costs.



(Dr. A.K. Mishra)

Member (A)



(Ms. Sadhna Srivastava)

Member (J)

HLS/-