

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW

O.A. No. 69 of 1991

R.N. Omar & Others

Applicants.

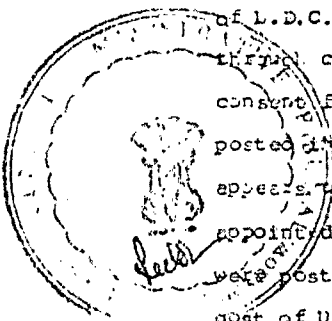
VERSUS

Union of India & Ors.

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. H. Obayya, A.M. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)



The applicants who were selected for the post (Telecom Account. Wing) of U.D.C./through the Staff Selection Commission through competitive test in they had given their consent for the Accounts wing but they had been posted in the Administrative wing. Ultimately, it appears that the persons who were subsequently appointed, became senior to the applicants as they were posted in the Accounts Wing and promoted to the post of U.D.C. and the applicants having been deprived of the same, after approaching the department, approached the Tribunal praying that they may be posted in the Accounts wing and further be promoted to the post of U.D.C. from the date the juniors were promoted and their pay may also be fixed which should not be less than that of their juniors.

2. There is denial regarding selection of the applicants, and according to the respondents they were posted in the Administrative Wing as per

requirement as there was no difference between the pay scale of a Clerk posted in the Accounts wing and Administrative wing and that is why their promotion was not taken. There is no denial of the fact that those who joined later on as L.D.Cs, were given higher pay scale and upgraded. It appears that this was done due to the fact that the L.D.Cs working in Telecom wing were benefited because of restructuring of the cadre/pay scales, though they were appointed in the same position. Applicants' choice was not taken, and they could not be deprived from the benefit ^{which} was given to the persons who were subsequently selected and promoted earlier to the applicants. The applicants gave their consent for Accounts wing, and if they would have been posted in Accounts wing, they would have been promoted in the same pay scale like their juniors and there should not be disparity. Accordingly, the respondents are directed to re-consider the position and remove the anomaly and discrimination and to pass necessary orders within a period of three months from the date of receipt of a copy of this order. No order as to

Costs.

V.C.

Sd/-

Lucknow: Dtd: 19.11.92.

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