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CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 130 of 1992(L)

R.K. Pandey & Others Applicants

Versus

Union of India & Others Respondents

Hon'ble Mr. Justice U.C. Trivastava, J.C.

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C. Trivastava, J.C.)

The applicant has prayed that the respondents be directed to restrain the operation of the order dated 1.11.1991 as issued by the Super. Offices, Gonda and a writ of mandamus may be issued in favour of the applicants and against the respondents in-alternate it may be declared as non-existent of Biennial cadre reviews circulated by D.O. circle Lucknow be declared as non-applicable to the eligibility for promotion of the applicants in higher scale of Rs. 1600-2660(MG-II) by selection on seniority-cum-fitness in the cadre of LSG Supervisory carrying pay scale of Rs. 1400-2300 held by the applicant at present, as the scheme of one Time bound promotion in existence dated 17.12.1993 is neither applicable nor governing the service condition of the applicant, and the seniority of the applicants in LSG Supervisory cadre carrying pay-scale of Rs. 1400-2300 acquired and settled be not be permitted to be disturbed by the application of Biennial cadre reviews scheme scheduled to be effective from 1.10.1991 and implemented w.e.f. 31.3.92.

2. According to the applicants their status and

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and right to the LSG cadre carrying pay-scale of Rs. 1400-2300(Revised) and higher responsibility associated with it and privilege of Rs. 45/- per month special pay as a service condition to the posts of LSG and time bound promotion scheme have been in force since 1.1.1991, and the juniors have been given promotion. This matter has come-up for consideration in the case of Harish Chandra Vs. Union of India, No. 100 of 1992 decided on 4.11.1992. In that case also this application in the same terms and the said judgement shall form part of this judgement also. It is clarified that in case, the applicants are given the special pay and they can be allowed to continue as such as they are continuing to hold the posts for the last several years, they can even now be allowed to continue till their term also come of the same. As far as the question of seniority is concerned, we have already left it open as such no further observation needed in this case. No order as to costs.

Member (A)

Vice-Chairman

Lucknow Dated: 5.1.1993.

(A.K.P)

30-4-93 Hon. Mr. Justice V.C. Saran/24, V.C.
Hon. Mr. K. Dasgupta, A.M.

We have noticed that in the above judgement the date of judgement in CA No. 270 of 1992 has not been mentioned. Accordingly, in exercise of our motu powers we fix the date of judgement in the roll line in red ink. Let certified copy be also corrected.

Am

VC