

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

Original Application No. 722/88.

Shri H.N.Wankhede,
A 10/6, New Airport Colony,
Vile Parle East,
Bombay 400 099.

.. Applicant

V/s.

1. Union of India through
Chairman,
National Airport Authority,
East Block II & III, R.K.Puram,
New Delhi 110 066.
2. Director of Aerodrome,
Bombay Airport
National Airport Authority,
Bombay 400 099.
3. Regional Director(Bombay Region),
National Airport Authority,
Bombay 400 099. .. Respondents

Coram: Hon'ble Member(A), Shri P.S.Chaudhuri.

Oral Judgment:

(Per P.S.Chaudhuri, Member(A)

Date: 10.3.1989

In this application which was filed on 27.9.1988 under section 19 of the Administrative Tribunals Act, 1985 the applicant prays that his pay on promotion to the post of Motor Driver (Selection Grade) be fixed at Rs.410 p.m. w.e.f. 1.7.1983 and that the date of the next increment be 1.1.1984 and for other consequential and ancillary reliefs.

2. The applicant was originally appointed as a Motor Driver in the Civil Aviation Department in or about February, 1964 in the scale of Rs.260-400. He reached the maximum of this scale, viz. Rs.400/-, w.e.f. 1.1.1982. By an order dated 24.9.1984 the applicant was promoted to the post of Motor Vehicle Driver (Selection Grade) in the scale of Rs.330-480 w.e.f. 1.7.1983. It is the applicant's contention that on this promotion his pay was erroneously fixed at Rs.400/- in the higher scale. It is the applicant's contention that on this promotion his pay should have been fixed at Rs.410/- in the scale

of Rs.330-480 w.e.f. 1.7.1983. The services of the staff working in the Aerodromes of the Civil Aviation Department were placed at the disposal of the National Airport Authority w.e.f. 1.6.1986 on deputation upon the same terms and conditions of services as they would have been entitled to had such an authority not been constituted.

3. The respondents opposed this application by filing their written reply on 8.3.1989. After hearing Mr.S.Natarajan, learned advocate for the applicant and Mr.V.K.Sharma, Law Officer in the office of the Respondent No.3, I admit the application and proceed to dispose of it today.

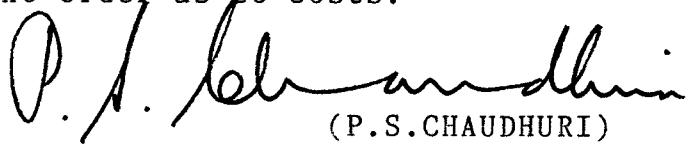
4. The respondents have today submitted two office orders both dated 25.1.1989. In terms of the first office order the pay of the applicant is fixed at Rs.410/- in the scale of Rs.330-480 w.e.f. 1.7.1983 and he is granted subsequent annual increments in this scale w.e.f. 1.7.1984 and 1.7.1985. Mr.Natarajan acknowledged the receipt of these office orders and stated that the applicant was not pressing the point regarding fixation of date of the subsequent increment from 1.1.1984.

5. In terms of the second office order the pay of the applicant is re-fixed from Rs.430/- in the scale of Rs.330-480 to Rs.1,410/- in the scale of Rs.1200-1800(RPS) w.e.f. 1.1.1986. The date of his next increment is given as 1.7.1986 and it has been indicated that this would raise his pay to Rs.1440/- and that to go above this stage an Efficiency Bar is required to be crossed.

6. Mr.Natarajan stated that these office orders met the applicant's requests to a substantial extent and hence he sought leave to withdraw the application with the request that some directions be given to the respondents to ensure expeditious payment. This appears

reasonable.

7. The application is accordingly disposed of as withdrawn but with the direction to the respondents that they shall ensure that the arrears of emoluments due to the applicant consequent on the re-fixation of his pay in terms of their two office orders both dated 25.1.1989 be paid to him by 2.5.1989. In the circumstances of the case there will be no order as to costs.


(P.S.CHAUDHURI)
Member(A)