

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 1253/96.

Date of Decision: 27.10.1997.

V. Dakshinamoorthy, Applicant.

Shri A. I. Bhatkar, Advocate for Applicant.

Versus

Union Of India & Others, Respondent(s)

Shri V. S. Masurkar, Advocate for Respondent(s)

CORAM:

Hon'ble Shri. Justice R. G. Vaidyanatha, Vice-Chairman.

Hon'ble Shri. M.R. Kolhatkar, Member (A).

- (1) To be referred to the Reporter or not? *no*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *no*

M.R. Kolhatkar
(M.R. KOLHATKAR)
MEMBER (A).

R.G. Vaidyanatha
(R.G. VAIDYANATHA)
VICE-CHAIRMAN.

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 1253/96.

Dated this 27th day of October, 1997.

CORAM : Hon'ble Shri Justice R.G. Vaidyanatha,
Vice-Chairman.

Hon'ble Shri M.R. Kolhatkar, Member (A).

V. Dakshinamoorthy,
Senior Accounts Officer,
Office of the General Manager,
(Development),
Maharashtra Telecom Circle,
Santacruz (West),
Mumbai - 400 054.

... Applicant

(By Advocate Shri A.I. Bhatkar)

VERSUS

1. Union Of India through
Secretary,
Ministry of Communications,
Department of Telecommunications,
Sanchar Bhavan,
New Delhi.

2. Chief General Manager,
Maharashtra Telecom Circle,
G.P.O. Building,
Mumbai - 400 001.

3. The Chief General Manager,
Madras Telephones,
Madras - 600 010.

... Respondents.

(By Advocate Shri V.S. Masurkar)

: ORAL ORDER :

{ PER.: SHRI R.G. VAIDYANATHA, Vice-Chairman }



Heard Shri A.I. Bhatkar for the applicant and Shri V. S. Masurkar for the respondents.

2. In this application, the applicant is seeking stepping up of his pay on the ground that his junior is getting more pay. According to the respondents, his junior is getting more pay because of his adhoc promotion.

The point in dispute has been covered by a recent decision of the Apex Court reported in [1997 SC SLJ 383] Union Of India & Others V/s. R. Swaminathan etc. etc., where an identical question arose for consideration and the Supreme Court has observed that if the junior is getting higher pay on account of ad-hoc promotion, the senior cannot get more pay on that ground. In our view, the point raised by the applicant has been covered by the above decision of the Apex Court and, therefore, the applicant is not entitled to any relief in the present application.

The Learned Counsel for the applicant made a submission that the applicants before the Supreme Court have filed a Review Application and, therefore, the applicant's right may be protected, In case, the Review application is allowed by the Apex Court. We only observe that if and when the Review Application is



allowed and the order of the Apex Court is modified or reversed, then liberty is given to the applicant to move this Court for review of this order according to law.

3. The O.A. is disposed of accordingly.

No costs.

M.R. Kolhatkar
~~(M.R. KOLHATKAR)~~
MEMBER (A).

R.G. Vaidyanatha
(R.G. VAIDYANATHA)
VICE-CHAIRMAN.

B/os*