

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO:61/2000
AND 118/2000
DATED THE 3rd. DAY OF May 2001**

**CORAM: HON'BLE SHRI JUSTICE ASHOK C AGARWA, CHAIRMAN
HON'BLE SMT.SHANTA SHAstry, MEMBER(A)**

1. Shri L.S.Shelkande
2. Shri S.L.Ugale
3. Shri R.V.Hande
4. Shri D.K.Choulkar
5. Shri H.R.Pawar
6. Shri T.R.Agre
7. Shri U.V.Katkar
8. Shri S.N.Shelar
9. Shri J.V.Terse
10. Shri L.S.Gaikwad

... Applicants in OA
61/2000.

Shri S.B.Sawant,
Telegraph Overseer,
(Staff No.TO-7329) in the Thane,
DTO and residing at Room No.106,
Shivshakti Society, Nahur Gaon,
Nehru Road, Mulund (West),
Mumbai - 400 080.

... Applicant in OA
118/2000

By Advocate Shri M.S.Ramamurthy

V/s.

1. Union of India,
through the Secretary,
Department of Telecommunications,
Government of India,
Sanchar Bhavan,
20, Ashoka Road,
New Delhi - 110 001.

2. Chief General Manager(Telecom),
Maharashtra Circle,
Fountain Telecom Building No.II,
8th Floor, M.G.Road,
Mumbai - 400 001.

3. The General Manager (Telecom),
Raigad District at Mumbai,
Wireless Compound, Juhu Danda Road,
Santacruz (West),
Mumbai - 400 054.

4. The Chief Superintendent,
Central Telegraph Office,
Mumbai - 400 001. ... Respondents.

By Advocate Shri V.S.Masurkar

Per Shri Justice Ashok C Agarwal, Chairma

Since the issues involved in both the OAs are common and facts are same, we proceed to dispose them of by a common order.

By the present OA, the applicants have impugned the action of the respondents in refixing the pay whereby their pay has been reduced. According to them they were persuaded to give their option on the understanding that their payscale will be increased. However, on their giving option, their payscales have been reduced instead of the same being increased. If the effect of giving option ~~is to reduce their pay~~, ~~payscale is reduced~~ they are not interested in giving their option. In that they would be interested in withdrawing the option under the Biennial Cadre Review scheme. Shri V.S.Masurkar, arguing on behalf of Respondents states that the applicants have straightaway approached the Tribunal without exhausting the remedy of representation against their payscales. Applicants appear to have issued only a legal notice.

2. In the circumstances, we find that interest of justice will be adequately met by directing the respondents to treat the legal notice as a representation and to pass speaking orders thereon and communicate them to the applicants expeditiously within a period of six weeks from the date of receipt of copy of this order. We direct accordingly. No orders as to costs.

3. Pending decision of the respondents on the aforesaid representation, the ad interim order passed in the present OA will continue. The same will continue for a period of two weeks after service of copy of the order to the applicants