

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO: 424/2000 & 125/2001

DATE OF DECISION: 3/ 5/2001 _

Shri J.H.Kamble & 7 Ors.
Shri V.S.Duduskar

Applicant

Shri G.S.Walia
Shri M.S.Ramamurthy

-----Advocate for
Applicant.

Versus

Union of India & 3 Ors.

-----Respondents.

Shri V.S.Masurkar

-----Respondents.

Coram:

Hon'ble Shri Justice Ashok C Agarwal, Chairman.
Hon'ble Smt. Shanta Shastry, Member (A).

1. To be referred to the Reporter or not?
2. Whether it needs to be circulated to
other Benches of the Tribunal?
3. Library.

} No


(ASHOK C AGARWAL)
CHAIRMAN

abp

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO:424/2000
AND 125/2001
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 J.H.Kamble
2. Shri P.D.Mane
3. Shri S.Y.Tapal
4. Shri P.P.Damse
5. Shri M.R.Bharmal
6. Shri D.G.Kashale
7. Shri V.Y.Yadav
8. Shri M.S.More

... Applicants in OA
424/2000.

By Advocate Shri G.S.Walia

Shri V.S.Duduskar,
Telegraph Overseer,
(Staff No.7327)

... Applicant in OA
125/2001

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

...2.

:2:
(ORAL) (ORDER)

Per Shri Justice Ashok C Agarwal, Chairman


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 their 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, ~~payscale is reduced~~ ^{is to reduce their pay}, 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.

2. In the circumstances, ^{present OA is disposed of by granting} liberty ~~is granted~~ to the applicants to submit their representations to the respondents within a period of two weeks from today. Respondents will take a decision thereon within a period of six weeks from the date of receipt of representation. 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 ^{on} ~~to~~ the applicant.


(SHANTA SHASTRY)
MEMBER(A)


(ASHOK C AGARWA)
CHAIRMAN

abp.