

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THE 5TH NOVEMBER, 1986

Application No.368 of 1986(T)
W.P.No.18107 of 1980(S)

Present

THE HON'BLE SHRI CH. RAMAKRISHNA RAO : MEMBER (JM)

THE HON'BLE SHRI P. SRINIVASAN : MEMBER AM)

Shri Kempaiah,
No.22/4 Sanjeevanayaka Galli,
Avenue Road Cross,
Bangalore-2.

....Applicant

(Shri S.B. Swethadri, Advocate)

1. Central Provident Fund
Commissioner, 9th Floor,
Mayur Bhavan, Cannaught
Circus, New Delhi-110001.
2. Regional Provident Fund
Commissioner, No.8,
Rajaram Mohan Roy Road,
Bangalore-560025.
3. Shri Mallinath,
Head Clerk.
4. Shri B.N. Govinda,
Head Clerk.
5. Smt. Celina Pinto,
Head Clerk.
6. Shri V.T. Avalakki,
Head Clerk.
7. Shri B. Ramakarvey,
Head Clerk.
8. Shri Y.P. Ramachandraiah,
Head Clerk.
9. Shri H.K. Hullurappe,
Head Clerk.
10. Shri B.K. Dasharatha Rao,
Head Clerk.
11. Shri N. Shivaram,
Head Clerk.

Respondents.

P. L. - He

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12. Shri K. Ganapathy,
Head Clerk.

C/O Provident Fund Commissioner's
Office, No.8, Rajaram Mohan Roy
Road, Bangalore-560027.

(Shri M.S. Padmarajaiah,.... Respondents
Advocate)

This case came up before Court-2 for final hearing today. The Hon'ble Shri P. Srinivasan, Member (AM) made the following:

O R D E R

In this application received on transfer from the High Court of Karnataka, the complaint of the applicant, who was at that time an Upper Division Clerk (UDC) in the office of the Regional Provident Fund Commissioner, Bangalore, is that respondents 3 to 12 who were his juniors had been promoted to the grade of Head Clerk superseding him. When the matter came up for final hearing today before this Bench, Shri S.B. Swethadri, learned counsel for the applicant fairly concedes that the grievance of his client had been remedied as he had been promoted to the post of Head Clerk and regularised in that post ^{while} ~~which~~ respondents 3 to 12 had not been regularised in their posts thus becoming his juniors. Therefore, he admits that the application has become superfluous. However, he pleads that the respondents may be directed to ^{revise} ~~review~~ the salary of his client to bring it up to equality with that of his juniors who were officiating as Head Clerks before him.

2. Shri M.S. Padmarajaiah, learned counsel for the respondents submits that the application should be dismissed.

P. S. Srinivasan

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3. We, therefore, dismiss the application. The applicant will be free to move the authorities concerned for refixation of his pay and the respondents will consider the matter on merits according to the rules governing the same and dispose of it accordingly.



(P. Srinivasan)
Member (AM)
5.11.1986



(Ch. Ramakrishna Rao)
Member (JM)
5.11.1986