

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THE 5TH NOVEMBER, 1986

Application No.368 of 1986(I)
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. Celine 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. Hullurappa,
Head Clerk.)
10. Shri B.K. Dasharatha Rao,
Head Clerk.)
11. Shri N. Shivaram,
Head Clerk.)

Respondents.

P. S. - 16

.../-

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
^{M. while}
in that post ~~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
^{M. revise}
may be directed to ~~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. S. .../-

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