

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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Commercial Complex(BDA),  
Indiranagar,  
Bangalore - 560 038

Dated : 19/8/87.

Application No. 311 to 313 /87(F)

W.P. No. \_\_\_\_\_

Applicant

Shri R.S. Adhyapak & 2 Ors  
To

V/s The Chairman, Telecommunication Board  
& another

1. Shri R.S. Adhyapak  
Junior Engineer(Planning)  
Office of the Director Telecommunications  
Enkay Complex  
Keshwarpur  
Hubli - 580023

2. Shri V.C. Malgi  
Junior Engineer  
Office of the Assistant Engineer(Phones)  
In-door  
Belgaum - 590001

3. Shri Veera Gowda  
No. 33/1, Doddmani chal  
1st Cross  
Sadhanakeri (post), Dharwar - 580008

4. Shri M. Raghavendra Achar  
Advocate  
1074-1075, Banashankari I Stage  
Sreenivasanagar II Phase  
Bangalore - 560 050

5. The Chairman  
Telecommunication Board  
New Delhi

6. The General Manager  
Telecommunications  
Bangalore

7. Shri M.S. Padmarajaiah  
Central Govt. Stng Counsel  
High Court Buildings  
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN

APPLICATION NO. 311 to 313/87(F)

Please find enclosed herewith the copy of the Order/~~XXXXXXXXXXXX~~  
passed by this Tribunal in the above said Application on 12-8-87.

Encl : as above.

SECTION OFFICER  
(JUDICIAL)

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RECEIVED

Diary No. 1022/CR/87

Date: 22/8/87

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 12th DAY OF AUGUST, 1987

Present : Hon'ble Sri P.Srinivasan : Member (A)

APPLICATION No. 311 to 313/87(F)

1. R.S.Adhyapak,  
O/e Director Telecommunications,  
Enkay Complex, Keshwapur,  
Hubli - 580 023.

2. V.C.Malgi,  
Junior Engineer,  
O/e The Asst.Engineer,(Phones)  
Indoor, Belgaum - 1.

3. Veere Gowda,  
Ex-Junior Engineer,  
No.33/1, Daddamani chah,  
1st Cross, Sadhanakeri(Pest)  
Dharwar - 8.

... Applicant

( Sri M.R.Achar

... Advocate )

Vs.

1. The Chairman,  
Telecommunication Board,  
New Delhi.

2. General Manager,  
Telecommunications,  
Bangalore.

... Respondents

( Sri M.S.Padmarajaiah

... Advocate )

This application has come up before the court today.

Hon'ble Sri P.Srinivasan, Member (A) made the following :

O R D E R

The only contention of the applicants - there are three of them - in these applications is that they were graduates in Engineering when they were appointed as Junior Engineers(JE) in the Telecommunications Department in the year 1972-73 and as such they were entitled to their pay being fixed at Rs.455/- in the JE's scale of Rs.425-700 adopted after the recommendation of



*P. Srinivasan*

the Third Pay Commission. The reason for this claim is that persons like them who were graduates when appointed as JE filed a petition before the Madhya Pradesh High Court making the same claim and the High Court had allowed it. It is also stated that special leave application against the decision of MP High Court was dismissed by the Supreme Court. The applicants contend that they should not be denied the benefit which had been allowed to persons similarly circumstanced as a result of the decision of the MP High Court.

2. Sri M.Madhusudan for Sri M.R.Achar for the applicants and Sri M.S.Padmarajaiah counsel for the Respondents have been heard. Sri Padmarajaiah filed a memo clarifying that "a general case regarding grant of benefits to all others who are similarly placed as Junior Engineers as per the Judgement of the MP High Court is under active consideration of the Department and, therefore, in that consideration the case of the applicants will also be considered." Sri Padmarajaiah, therefore, submits that the present applications are premature.

3. In view of the above these applications have to be dismissed as being premature. I am sure the Respondents will not discriminate between persons similarly placed and that if the cases of the applicants are similar to those of the petitioners before the MP High Court they (the applicants) will also be given the same benefit.

4. In the result the applications are dismissed as premature with liberty to the applicants to file fresh applications if the ultimate decision of the Government goes against them. Parties to bear their own costs.



"True copy"

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

an.

Sd —

MEMBER (A)

- True copy -