

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated : 19/8/84.

Application No. 311 to 313 /86 (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 Veeru Gowda
No. 33/1, Doddmani chal
Ist Cross
Sadhanakeri (post), Dharwar - 580008

4. Shri M. Raghavendra Achar
Advocate
1074-1075, Banashankari I Stage
Sreenivasa Nagar 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 ~~bangal~~

APPLICATION NO. 311 to 313/87(F)

Please find enclosed herewith the copy of the Order/ক্ষমতাপ্রদান

passed by this Tribunal in the above said Application on 12-8-87

Encl : as above.

SECTION OFFICER
(JUDICIAL)

Balu* RECEIVED 20/8/87
Diary No. I.Q.2.P. / C.R. / 87

Final Date: 22/8/81 B

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.Ashyapak,
O/o Director Telecommunications,
Enkay Complex, Keshwarpur,
Hubli - 580 023.

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

3. Veere Gowda,
Ex-Junior Engineer,
No.33/1, Daddamani chal,
Ist Cross, Sadhanakeri(Post)
Dharwar - 8.

(Sri M.R.Achar

...

Applicant

... 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 :

ORDER

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 ¹¹ m^{en} the scale of Rs.425-700 adopted after the recommendation of



P.S. 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 Junier 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.



Set -

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MEMBER (A)

- True Copy -