

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 9 SEP 1988

APPLICATION NO. 1166 / 88(F)

W.P. NO. _____

Applicant(s)

Respondent(s)

Smt K.C. Sunanda Devi
To

V/s The Controller of Accounts, Dept of Mines,
Geological Survey of India, Calcutta & 2 Ors

1. Smt K.C. Sunanda Devi
No. 187, A.G.'s Layout
Raja Mahal Vilas II Stage
Bangalore - 560 054
2. Dr M.S. Nagaraja
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhinagar
Bangalore - 560 009
3. The Controller of Accounts
Central Accounts Office
Department of Mines
Geological Survey of India
Calcutta - 1

4. The Controller General of Accounts
Ministry of Finance
Department of Expenditure
Lok Nayak Bhavan
Khan Market
New Delhi - 110 003
5. The Secretary
Ministry of Finance
Department of Expenditure
New Delhi - 110 001
6. Shri M. Vasudeva Rao
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 31-8-88.

Encl : As above

DEPUTY REGISTRAR
(JUDICIAL)

A2

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 31ST DAY OF AUGUST, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 1166/1988

Smt. K.C. Sunanda Devi,
Aged 47 years,
D/o K.S. Chandrashekharaiiah,
No.187, A.G's Layout,
Raj Mahal Vilas II Stage,
Bangalore-54.

... Applicant.

(Dr. M.S. Nagaraja, Advocate)

v.

1. The Controller of Accounts
Central Accounts Office,
Department of Mines,
Geological Survey of India,
Calcutta.
2. The Controller General of Accounts
Ministry of Finance,
Department of Expenditure,
Lokanayaka Bhavan,
New Delhi.
3. The Government of India
rep. by the Secretary to Govt.
Ministry of Finance,
Department of Expenditure,
New Delhi.

... Respondents.

(Shri M. Vasudeva Rao, C.G.A.S.C.)

This application having come up for hearing to-day,
Vice-Chairman made the following:

O R D E R

This is an application made by the applicant under
Section 19 of the Administrative Tribunals Act, 1985 (Act).

2. Smt. K.C. Sunanda Devi, the applicant before us
working as a Senior Accountant in the Office of the Pay
and Accounts Officer, Geological Survey of India, Bangalore,



has sought for a direction to the respondents to extend her the very benefits extended by Government and accepted by this Tribunal in S. Nanjundaswamy and Others v. Union of India & others in Application Nos. 655 to 670/88 and other connected cases, decided on 14.7.1988. (Second Nanjundaswamy's case).

3. In their reply, the respondents have resisted this application.

4. Dr. M.S. Nagaraja, learned Counsel for the applicant, contends that the case of the applicant is in all fours with the case of second Nanjundaswamy case, and in particular, with that of A. VASUDEVA v. UNION OF INDIA & OTHERS (Application No. 896/88) also dealt and decided in that very series.

5. Shri Rao made a valient effort to distinguish our order made in VASUDEV's case on more than one ground. But even after listening to his painstaking arguments, we find it difficult to hold that this case is different from the case of the applicant in Application No.896/88 dealt and decided in Nanjundaswamy's series.If that is so, then this applicant is entitled for the very reliefs granted by us in Application No.896/88.

6. In the light of our discussions, we make the following orders and directions:

- (i) We declare that the applicant is entitled for the revised pay scale extended by Government of

India in its Order No.F.5(32)E.III 86 Pt.II dated 12.6.1987 and further orders made in her favour by the Department from 1.1.1986 instead of from 1.4.1987 subject to the requirement of 3 years of service as on that date.

- (ii) We further direct the respondents to fix the pay scale of the applicant in the revised pay scale in terms of orders made by Government of India on 12.6.1987 and further orders made thereon by the department from 1.1.1986 and extend her all such consequential and monetary benefits flowing therefrom from that date.

7. Application is disposed of in the above terms.
But, in the circumstances of the case, we direct the parties to bear their own costs.

Sd/-

VICE-CHAIRMAN

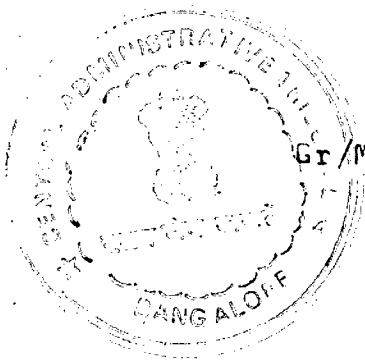
31/8/1988

Sd/-

MEMBER (A) T-8.88

TRUE COPY

Gr/Mrv.



[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE