

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex(BOA)  
Indiranagar  
Bangalore - 560 038

Dated : 2-2-88

APPLICATION NOS. 1078 to 1083/87(F), 4 to 6,  
21 to 26, 28 to 33, 39 to 44  
& 59 to 63/88(F)

ApplicantsRespondents

Smt SG Bharathi & 31 Ors

V/s The AG, (A&E), Karnataka & 2 Ors

To

1. Smt S.G. Bharathi  
110/D, III Cross  
Raghavendra Colony  
Bangalore - 560 018
2. Sri T. Gokulananda Rao  
15/1, 'E' Street, Fort  
Bangalore - 560 002
3. Smt Sowmya D. Pent  
301, II Main  
Mallewarem  
Bangalore - 560 003
4. Smt Anasuya Gokhale  
40/122, 9th Cross  
Govindarajanagar  
Bangalore - 560 040
5. Smt N.S. Leelavathy  
707, 'Kumaradhare'  
16th Cross, JP Nagar  
Bangalore - 560 078
6. Shri D.R. Srinivasan  
142/3/3, Ganappa Gardens  
Coconut Avenue, Mallewarem  
Bangalore - 560 003

7. Shri Ganesh H. Patwardhan  
1068/11 (Out House)  
8th Main Road, Vijayanagar  
Bangalore - 560 040
8. Shri K.N. Suparna  
No. 2529, 10th Main, 'E' Block  
IIInd Stage, Rajajinagar  
Bangalore - 560 010
9. Shri M.K. Chandrasekaran  
No. 4/24, Lingaiahnapalya  
IIIrd Cross, (Dasappa Circle)  
Jogpalyam, Ulsoor  
Bangalore - 560 008
10. Smt K.R. Kamala  
1349, 10th Main Road  
Vijayanagar  
Bangalore - 560 040
11. Smt K. Usha Devi  
17 (Out House), 8th Cross  
6th Main Road, Mallewarem  
Bangalore - 560 003
12. Smt H.N. Manjula  
136, 70, II Block  
Thyagarajanagar  
Bangalore - 560 028

13. Smt Gita Govinden  
14, 17th Cross  
13th Main, Malleswaram  
Bangalore - 560 055
14. Shri K. Dayananda Shet  
14, Model House  
3rd Street, Basavanagudi  
Bangalore - 560 004
15. Smt Saramma Varghese  
29/2, Wheeler Road  
Bangalore - 560 084
16. Shri V. Kanappa  
31/2, Kodandaram Layout  
A.S. Mudaliar Road Cross  
Bangalore - 560 042
17. Smt A. Manjula  
338, 10th 'A' Main  
III Block, Jayanagar  
Bangalore - 560 011
18. Smt Malini Balakrishnan  
173, Jeevanahalli Main Road  
Cox Town  
Bangalore - 560 005
19. Smt A.T. Kamala  
570, II Cross, Vth Main  
Hanumanathanagar  
Bangalore - 560 019
20. Smt Poorna Krishna Murthy  
59, 1st Main Road  
Thyagarajanagar  
Bangalore - 560 028
21. Smt Lakshma Prasad  
1081, 4th Main Road  
Prakeshnagar  
Bangalore - 560 021
22. Smt V. Chandra  
172, LIG House  
Kengeri Satellite Town  
Bangalore
23. Shri M. Narasimhamurthy  
254/5, 14th 'B' Cross  
Multistoried Building  
New Town, Yelahanka  
Bangalore - 560 064
24. Shri M.A. Ananth  
45, 3rd Cross Road  
Swimming Pool Extension  
Malleswaram  
Bangalore - 560 003
25. Smt Usha Selvam  
19, Hutchins Road  
Cook Town  
Bangalore - 560 005
26. Smt P. Vasantha Kumeri  
2, 'Sarovar'  
2-A Cross, Hanumanthappa Layout  
Sultanpalya  
Bangalore - 560 032
27. Smt V. Malini Murthy
28. Shri P.S. Matha
29. Shri A.V. Srikantaiah
30. Shri K.S. Raykar
31. Shri L.P. Krishnamurthy
32. Shri A. Alphonse  
(Sl Nos. 27 to 32 - Senior Accountants,  
Office of the Accountant General(A&E),  
Karnataka - I, Bangalore - 560 001)
33. Shri M.S. Nagaraja  
Advocate  
35, (Above Hotel Swagath)  
1st Main, Gandhinagar  
Bangalore - 560 009
34. The Accountant General  
(Accounts & Entitlements)  
Karnataka  
Bangalore - 560 001
35. The Comptroller & Auditor General  
of India  
10, Bahadur Shah Zafar Marg  
New Delhi - 110 002
36. The Secretary  
Ministry of Finance  
Department of Expenditure  
New Delhi - 110 001

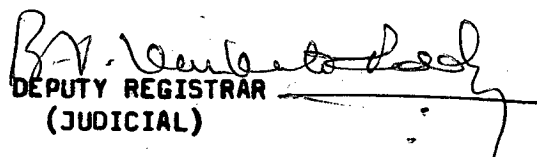
37. Shri M. Vasudeva Rao  
Central Govt. Sng Counsel  
High Court Building  
Bangalore - 560 001

\*\*\*\*

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER passed by this Tribunal  
in the above said applications on 25-1-88.

Encl : As above

  
DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 25th DAY OF JANUARY, 1988

Present : Hon'ble Justice Sri K.S.Puttaswamy

Vice-Chairman

Hon'ble Sri L.H.A.Rego

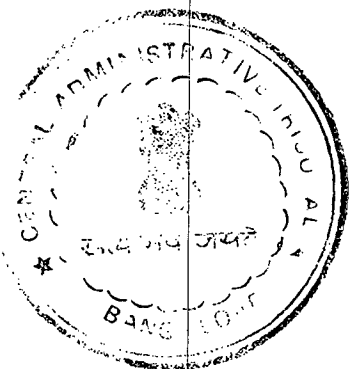
Member (A)

A.Nos.1078 to 1083/87(F)  
4 to 6/88(F)  
21 to 26/88(F)  
28 to 33/88(F)  
39 to 44/88(F)  
59 to 63/88(F)

1. Smt.S.G.Bharathi,  
110/D, III Cross,  
Raghavendra Colony,  
Bangalore - 18.
2. T.Gokulananda Rao,  
15/1, 'E' Street, Fort,  
Bangalore - 2.
3. Smt.Sowmya D.Pant,  
301, II Main, Malleswaram,  
Bangalore - 3.
4. Smt.Anasuya Gokale,  
40/122, 9th Cross,  
Govindarajanagar,  
Bangalore - 40.
5. Smt.N.S.LeeLavathy,  
707, 'Kumaradhara', 16th Cross,  
J.P.Nagar, Bangalore.
6. D.R.Srinivasan,  
142/3/3, Ganappa Gardens,  
Coconut Avenue, Malleswaram,  
Bangalore - 3.
7. Ganesh H.Patwardhan,  
1068/11(Outhouse), 8th Main Rd,  
Vijayanagar, Bangalore - 40.
8. K.W.SUPARNA,  
No.2529, 10th Main 'E' Block,  
IIInd Stage, Rajajinagar,  
Bangalore - 10.
9. M.K.Chandrasekaran,  
No.4/25, Lingaiahnapalya,  
III rd Cross, (Dasappa Circle),  
Jogpalyam, Ulsoor, B'lore-8.
10. Smt.K.R.Kamala,  
R/a No.1349, 10th Main Road,  
Vijayanagar, B'lore - 40.



11. Smt.K.Usha Devi,  
R/a No.17(OH),6th Bain Rd,  
8th Cross, Malleswaram,  
Bangalore - 3.
12. Smt H.N.Manjula,  
R/a No.136, 70, II Block,  
T.R.Nagar, B'lore -28.
13. Smt.Gita Govindan,  
R/a No.14, 13th Main,  
17th Cross, Malleswaram,  
Bangalore - 55.
14. K.Dayananda Shet,  
R/a No.14, Model House,  
3rd Street, Basavangudi,  
Bangalore - 4.
15. Smt.Saramma Varghese,  
R/a No.29/2, Wheeler Rd,  
Bangalore - 84.
16. V.Kanappa,  
R/a 31/2, Kodanadaram  
Layout,A.S.Mudaliar Road  
Cross, Bangalore - 42.
17. Smt.A.Manjula,  
R/a No.338, 10th 'A'Main,  
III rd Block, Jayanagar,  
Bangalore.
18. Smt.Nalini Balakrishnan,  
R/a No.173, Jeevanahalli  
Main Road, Cox Town,  
Bangalore - 5.
19. Smt A.T.Kamala,  
No.570, II Cross, V Main,  
Hanumanthanagar, B'lore - 19.
20. Smt.Poorna Krishna Murthy,  
R/a No.59, I st Main Road,  
Thyagarajanagar,B'lore - 28.
21. Smt.Lakshme Prasad,  
R/a No.1081, 4th Main Road,  
Prakash Nagar, B'lore- 21.
22. Smt V.Chandra,  
No.172, LIG House, Kengeri  
Sattelite Town,Bangalore.
23. M.Narasimhamurthy,  
No.254/5,14th 'B'Cross,  
Multistoried Building, New  
Town, Yelahanka, B'lore -64.



24. H.A.Ananth,  
No.45, 3rd Cross Rd,  
Swimming Pool Extension,  
Malleswaram,  
Bangalore - 3.
  25. Smt. Usha Selvam,  
No.19, Hutchins Rd,  
Cooke Town, Bangalore - 5.
  26. Smt.P.Vasantha Kumari,  
No.2, 'Sarovar',  
"A Cross, Hanumanthappa Layout,  
Sultanpalya, Bangalore - 32.
  27. Smt.V.Nalini Murthy,  
W/o B.R.Srinivasa Murthy,  
R/a Bangalore.
  28. P.S.Matha,
  29. A.V.Srikantaiah,
  30. K.S.Raykar,
  31. L.P.Krishnamurthy,
  32. A.Alphonse,  
( all Working as Senior Accountant,  
O/o the Accountant General(A&E),  
Karnataka-I, Bangalore - 1. ... Applicants.
- |                    |     |          |
|--------------------|-----|----------|
| Dr.M.S.Nagaraja    | ... | Advocate |
| Sri S.K.Srinivasan | ... | Advocate |

Vs.

1. The Accountant General,  
(Accounts & Entitlements),  
Karnataka, Bangalore - 1.
  2. The Comptroller and Auditor  
General of India, No.10,  
Bahadur Shah Safar Marg,  
New Delhi - 2.
  3. The Government of India,  
by the Secretary,  
M/o Finance Department and  
Expenditure, New Delhi - 1. ... Respondents
- |                    |     |          |
|--------------------|-----|----------|
| Sri M.Vasudeva Rao | ... | Advocate |
|--------------------|-----|----------|



These applications have come up before the court today, Hon'ble Justice Sri K.S.Puttaswamy, Vice-chairman made the following :

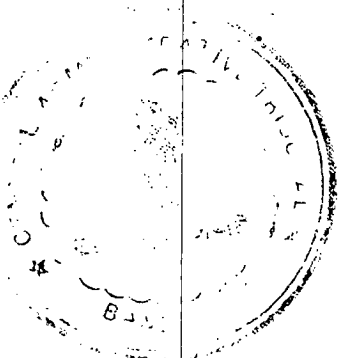
O R D E R

These cases were posted for hearing before us today. Sri M.Vasudeva Rao, learned Additional Standing counsel for the Central Government appearing for the Respondents in these cases prays for two months time to ~~file~~ their reply and then only argue these cases. Dr. M.S.Nagaraja, learned counsel for the applicants opposes the request of Sri Rao and contends that the questions raised in these cases, are concluded by an earlier decision rendered by us in A.No.1327 to 1334/86(F) decided on 7/8th July, 1987 M.NANJUNDASWAMY V. ACCOUNTANT GENERAL, BANGALORE AND OTHERS. Sri Rao does not dispute that the facts of these cases and the questions to be decided are in all fours with Nanjundaswamy's case. But notwithstanding the same he prays for time.

2. We are of the view that the request of Sri Rao which will not really serve any purpose but will only delay the proceedings without any benefit to anybody is wholly unjustified. We, therefore, reject the prayer of Sri Rao and proceed to decide the cases on merits.

3. The applicants are working as Senior Accountants in the office of Accountant General, Accounts and Entitlement, Bangalore (AG). In OM No.F.5(32)-E.III/86-Pt.II dated 12.6.1987, accepting the recommendations of the Fourth Pay Commission, Government had revised the pay scales of the applicants, but had extended that benefit only from 1.4.1987. The applicants claim that the benefit of such revision should be extended to them from 1.1.1986 as in the case of all other civil servants of the Union of India.

4. In Nanjundaswamy's case, we had occasion to examine this very question on the claims made by Nanjundaswamy

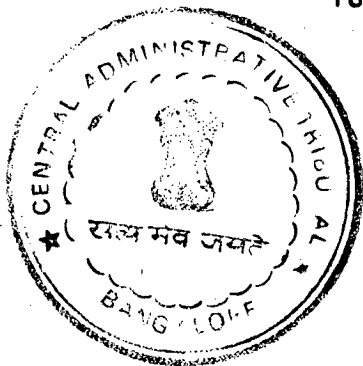


and others who are working as Senior Accountants as the applicants before us. On a detailed examination of that question(vide paras 27 to 34) we held that those persons, whose claims were in all fours to the applicants before us were entitled for the benefit of revision of pay scales from 1.1.1986 as in the case of all other civil servants of the Union of India. The order made by us in Nanjundaswamy's case the stay of which was also granted by us for a period of 90 days has not even been challenged by the Respondents before the Supreme Court and had become final also.

5. While upholding their claim we also expressed that Government itself should generously extend that benefit to all others similarly situated without necessarily driving them to approach this Tribunal or the Supreme Court. But we regret to notice that hope had been belied and the respondents have extended the benefit of that order only to the applicants in those cases denying the same to these applications though they made a demand for a similar treatment. In these circumstances, the claim of the applicants for extending the benefit of the revision of pay scales from 1.1.1986 for the very reasons stated in Nanjundaswamy's case has necessarily to succeed. We therefore uphold their claims.

6. In the light of our above discussion we make the following orders and directions :

- (i) We declare that the applicants are entitled for the revised pay scales extended by the Government of India in its order No.F.5(32)-E.III/86-Pt.II dated 12.6.1987 from 1.1.1986.
- (ii) We direct the Respondents to fix the pay scales of the applicants in the revised pay scales in terms of order made by the Government of India on 12.6.1987 from 1.1.1986 and extend all such consequential monetary benefits flowing from the same to them from that date with all such expedition as is possible in the circumstances of the cases and in any event on or before 30.4.1988.





Sd/-

( VICE-CHAIRMAN )

CHAIRMAN 1950  
25/11

sd/-

(MEMBER-A ) / '25.1.68

an.

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DEPUTY COMMISSIONER (JPL) 2/27  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex(BOA)  
Indiranagar  
Bangalore - 560 038

Dated : 9 MAY 1988

IA I IN

APPLICATION NOS.

263 to 281, 4 to 6, 21 to 26, 28 to 33,  
39 to 44, 59 to 63, 120, 121 to 132,  
135 to 139, 188 to 215, 218 to 239,  
240 to 251, 253 to 262, 283 to 303,  
415 to 435/88(F) & 1078 to 1083/87(F)

Applicants

Smt A. Manjula & Ors

Respondents

V/s

The Accountant General (A&E), Karnataka,  
Bangalore & 2 Ors

To

1. Dr M.S. Nagaraja  
Advocate  
35 (Above Hotel Swagath)  
1st Main, Gandhinagar  
Bangalore - 560 009
2. The Accountant General  
(Accounts & Entitlements)  
Karnataka  
Bangalore - 560 001
3. The Comptroller & Auditor General  
of India  
No. 10, Bahadur Shah Zafar Marg  
New Delhi - 110 002

4. The Secretary  
Ministry of Finance  
Department of Expenditure  
New Delhi - 110 001
5. Shri M.S. Padmarajaiah  
Central Govt. Stng Counsel  
High Court Building  
Bangalore - 560 001
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 passed by this Tribunal  
in the above said applications on 4-5-88.

Encl : As above

  
SECTION OFFICER  
(JUDICIAL)

**In the Central Administrative  
Tribunal Bangalore Bench,  
Bangalore**

**ORDER SHEET**

Application Nos. 263 to 281, 4 to 6, 21 to 26, 28 to 33, 39 to 44,  
59 to 63, 120, 121 to 132, 135 to 139, 188 to 215,  
218 to 239, 240 to 251, 253 to 262, 283 to 303,  
415 to 435/88(F) & 1078 to 1083/87(F)

Applicant

Smt A. Manjula & Ors  
Advocate for Applicant

Dr M.S. Nagaraja

V/s

The AG (A&E), Karnataka, B'lore & 2 Ors  
Advocate for Respondent

M.S. Padmarajaiah

Date	Office Notes	Orders of Tribunal
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*[Signature]*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

LHAR/RKR

Applicants by Dr.M.S.Nagaraj  
and respondents by Shri M.S.Padmarajaiah.

Shri Padmarajaiah requests  
for extension of time by three months to  
comply with our orders. Dr.Nagaraj has  
no objection. Request granted.

*Sd/-*  
MEMBER(A) 4.5.88  
4.5.88

*Sd/-*  
MEMBER(J)  
4.5.88

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 9 JAN 1989

Contempt

APPLICATION NO.  
In  
~~W.P. No.~~ ANos.

203 to 211/88 C/n CPs, 277 to 296/88  
4 to 6/88, 21 to 25/88, 28/88, 242/88 to 251/88  
and 253 to 262/88]

Applicant(s)

Sh. Ganesh H. Patwardhan  
To and ors.

Respondent(s)

Sh. R. S. A. Rao, AG. (A.E.)  
Bangalore & 2 ors.

(1) Dr. M. S. Nagaraja,  
Advocate,  
No. 35, Above Hotel Swagath,  
1st Main Road, Gandhi Nagar,  
Bangalore - 560 009. (~~205/88~~)

(2) Sh. R. S. A. Rao,  
Accountant General (A & E),  
Karnataka,  
Bangalore.

(3) Sh. T. N. Chattervedi,  
Comptroller & Auditor General of  
India,  
No. 10, Bhadur Shah Jigar Marg,  
New Delhi - 110 002.

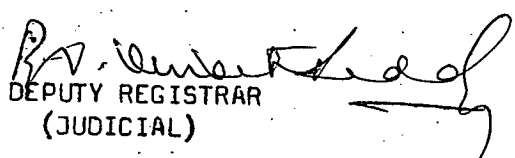
(4) Sh. S. Venkataraman,  
Secretary,  
Ministry of Finance, Govt. of  
Dept. of Expenditure,  
New Delhi - 110 001.

(5) Sh. M. S. Padmesayana,  
CGSC,  
Bangalore.

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 16-12-88.

Encl : As above

  
DEPUTY REGISTRAR  
(JUDICIAL)



60-2-1-1

Date

Office Notes

Orders of Tribunal

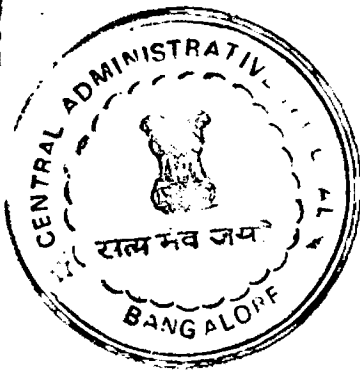
VC/LHAR(AM)  
16-12-1988.ORDERS IN CONTEMPT PETITIONSNos.203 TO 211/88 C/w C&Ps.277TO 296/88.

Petitioners by Dr.M.S.  
Nagaraja.

2. Respondents by Smt.K.  
Ganga, Deputy Accountant General  
(Admn.), Bangalore.

3. In these petitions filed  
under Sec.17 of the Administrative  
Tribunals Act, 1985 and the Contempt  
of Courts Act, 1971, the petitioners  
have moved this Tribunal to initiate  
contempt of Courts proceedings  
against the respondents for non-  
implementation of the orders made  
in their favour, by this Tribunal.

4. Smt. K.Ganga, Deputy Account-  
tant General, appearing for the  
respondents, has brought to our  
notice that the Hon'ble Supreme  
Court has stayed the operation of  
the orders made in favour of the  
petitioners and therefore, these  
Contempt of Courts Proceedings are  
liable to be dropped. We find  
this submission of Smt. Ganga is  
correct. On this view, these  
Contempt of Courts Proceedings are  
liable to be dropped. We, therefore,  
drop these Contempt of Courts Pro-  
ceedings. But, in the circumstances  
of the cases, we direct the parties  
to bear their own costs.



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Sd/-  
VICE CHAIRMANSd/-  
MEMBER(A)

contd...3

DEPUTY REGISTRAR (JDL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 13 JUN 1988

CONTEMPT OF COURT APPLICATION NO. \_\_\_\_\_  
IN APPLICATION NO. 676/86(F) \_\_\_\_\_  
W.P. NO. \_\_\_\_\_

28

88

Applicant(s)

Respondent(s)

Shri Swamy Kannu M.  
To

V/s The Divisional Operating Supdt. Southern Rly.,  
Bangalore & 2 Ors

1. Shri Swamy Kannu M.  
C/o Shri V. Ramdas  
No. 89, 'L' Type Quarters  
Railway Quarters  
Bangalore - 560 056
2. The Divisional Operating Superintendent  
Southern Railway  
Bangalore City  
Bangalore - 560 023
3. The Divisional Personnel Officer  
Southern Railway  
Bangalore - 560 023
4. The Divisional Commercial Superintendent  
Southern Railway  
Bangalore - 560 023
5. Shri M. Sreerangaiah  
Railway Advocate  
3, S.P. Building, 10th Cross  
Cubbonpet Main Road  
Bangalore - 560 002

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 7-6-88.

Encl : As above

DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 7TH DAY OF JUNE, 1988

Present Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
and  
Hon'ble Shri P. Srinivasan, Member (A)

CONTEMPT OF COURT APPLICATION NO.28/1988

Shri Swamy Kannu,  
s/o K. Muthu,  
C/o Ramdas,  
No.89, 'L' Type quarters,  
Bangalore.

... Petitioner.

v.

1. Divisional Operating (3) Divl. Comml. Supdt.  
Superintendent, Southern Railway,  
Southern Railways, Bangalore.  
Bangalore city.

2. Divisional Personnel  
Officer, Southern Railways,  
Bangalore.

... Contemnors.

(Shri Sreerangaiah, Advocate)

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

O R D E R

In this application made under Section 17 of the  
Administrative Tribunals Act, 1985, and the Contempt  
of Courts Act, 1971, the petitioner has moved this  
Tribunal to punish the contemnors for non-implementation  
of the order made by this Tribunal in his favour on  
20.11.1987 in Application No.676/87.

2. In A.No.676/87, we directed the appellate authority  
( 'AA' ) to restore the appeal filed by the applicant and  
dispose of the same with expedition, and in any event,  
within a period of two months from the date of receipt  
of our order.





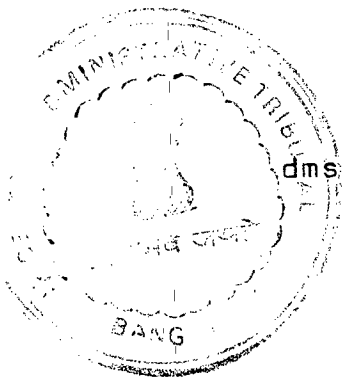
3. In compliance with the order of the Tribunal the AA had disposed of the appeal of the applicant on 4.4.1983. Shri M. Sreerangaiah, learned Counsel for the contemnors, has produced a copy of that order for our perusal. Shri M. Swamy Kannu, who is the petitioner has also perused the same. Shri Swamy Kannu very rightly states that these Contempt of Court proceedings be dropped, with liberty reserved to him to challenge the appellate order in separate legal proceedings, which is correct and legal. We, therefore drop these contempt proceedings with no order as to costs. But this does not prevent the petitioner from challenging the order of the AA in separate legal proceedings.

sd/-

VICE-CHAIRMAN

sd/-

MEMBER (A)



dms/Mrv.

TRUE COPY

*R. V. Subrahmanyam*  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE