

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION Certified to be true copy

Sup. C. 52

246311

Assistant Registrar (Judi.)

199..

Supreme Court of India

No. xx of
CIVIL APPEAL NOS. 478 OF 1989, 3179 OF 1990 AND 748 TO 771
OF 1989.

(Appeals by Special Leave from the Judgments and Orders
dated the 31st August, 1988, 5th September, 1989 and 30th
March, 1988 of the Central Administrative Tribunal, Bangalore
Bench, Bangalore in Application Nos. 1166/88, 280/89(P) and
391 to 414/88).

Union of India & Ors., etc. etc.

..Appellants.

Versus

Adv. K.C. Sumanda Devi, etc. etc.

..Respondents.

(For full Cause-title, please see
Schedule 'A', 'B' & 'C' attached herewith).

5th February, 1997.

CORAM:

HON'BLE MR. JUSTICE K.S. PARIPOORNA
HON'BLE MR. JUSTICE S.P. KURDUKAR

For the Appellants in
all the appeals:

Mr. K.N. Shukla, Senior Advocate,
(Mr. Y.P. Mahajan, Ms. Anubha Jain
and Mr. C.V.S. Rao, Advocates with
him).

The Appeals above-mentioned being called on for
hearing before this Court on the 5th day of February, 1997,
UPON perusing the record and hearing counsel for the
appellants herein, the respondents not appearing though
served, THIS COURT DOTH PASS the following ORDER:

"It is brought to our notice by Mr. K.N. Shukla,
learned senior counsel for the appellants that the
controversy in these appeals is settled by the
decision of this Court in Union of India and Others
vs. Secretary, Madras Civil Audit and Accounts
Association and Another, 1992 (2) SCC 1. Mr. Shukla
further submits that in the light of the above
decision of this Court, all these appeals should
be allowed.

Accordingly, these appeals are allowed.
There shall be no order as to costs."

: 2 :

AND THIS COURT DOTH FURTHER ORDER that this ORDER
be punctually observed and carried into execution by all
concerned;

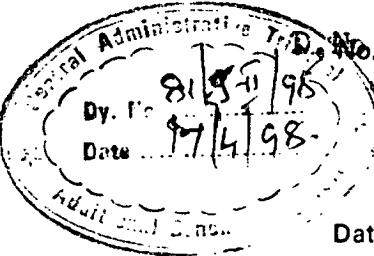
WITNESS the Hon'ble Shri Aziz Mushabber Ahmadi,
Chief Justice of India, at the Supreme Court, New Delhi,
dated this the 5th day of February, 1997.

Sd/-
(R.P. DUA)
JOINT REGISTRAR.

Ar

Copy - 6 file of
O.A. 391 to 414 / 88 (P)

All communications should be
addressed to the Registrar,
Supreme Court, by designation.
NOT by name
Telegraphic address :—
"SUPREMECO"



SUPREME COURT
INDIA
NEW DELHI

Dated. the

February, 1998.

From: The Assistant Registrar,
Supreme Court of India,
New Delhi.

To: The Registrar,
Central Administrative Tribunal Bench
at Bangalore.

CIVIL APPEAL NOS. 478 OF 1989, 3179 OF 1990 AND 748 TO 771 OF 1989.

Union of India & Ors., etc. etc.

..Appellants.

Versus

Smt. K. C. Sunanda Devi, etc. etc.

..Respondent.

Sir,

In continuation of this Registry's letter of even number
dated the 6th March, 1998, I am directed to transmit herewith
the Original Record relating to the matters forwarded to this
Court under your letter Files Nos. 1166/88(F), 280/89 and 391 to
414/88(F) dated the 20th August, 1992, 20th January, 1993 and 20th
August, 1992 as per the details given below.

Please acknowledge receipt.

Yours faithfully,

ASSISTANT REGISTRAR.

DETAILS OF ORIGINAL RECORD:

CIVIL APPEAL NO. 478 OF 1989.

Original Record of O.A.

CIVIL APPEAL NO. 3179 OF 1990.

File of O.A. 280/89 and Index Sheet.

CIVIL APPEAL NOS. 748-771 OF 1989.

Index Sheet & Original Records with order sheets
in Original.

(2) *schedule A*
C.A. 478/83

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CIVIL) NO. 15248 OF 1988.

In the matter of:

1. Union of India through
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, Loknayak Bhavan,
New Delhi.
3. The Government of India
through the Secretary
Ministry of Finance,
Department of Expenditure
New Delhi.

....Petitioners

Versus

Smt. K.C. Sunanda Devi
d/o K.S. Chandrashckharaiah
No.187, A.G.'s Layout
Raj Mahal Vilas II stage
Bangalore -54.

163/1

....Respondent

PETITION UNDER ARTICLE 136
OF THE CONSTITUTION OF INDIA.

To

The Hon'ble Chief Justice of India
R.S PATHAK and his companion Justices
of the Supreme Court of India, New Delhi.

The humble petition of the
petitioner abovenamed

214-
2
IN THE SUPREME COURT OF INDIA
CIVIL APPEAL JURISDICTION

Sett. date - 13
A.N. 3178/90

SPECIAL LEAVE PETITION (CIVIL) NO. 4 OF 1990.

In the matter of :

1. Union of India

through Secretary,

Ministry of Communications,

Sancha Bhawan,

New Delhi.

2. The Director General of Accounts (Postal)

Dak Tar Bhawan,

Sansad Marg,

New Delhi.

3. The Deputy Director of Accounts (Postal)

Bangalore.

... Petitioners

Versus

R. Santhanam,

Senior Assistant,

Office of the Deputy Director,

of Accounts (Postal,

G.P.O. Complex,

Bangalore.

... Respondent

contd...

(2)

Scheelite
C.A. No. 748-721/89
59
16176-99

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CIVIL) NO. 16176-99 OF 1988

In the matter of:

A petition under Article 136 of the Constitution of India for special leave to Appeal from the judgment and order dated 30.3.88 passed by the Central Administrative Tribunal, Bangalore Bench in Original Application Nos. 391 to 414 of 1988.

And in the matter of:

1. The Accountant General,
(Accounts and Entitlements)
Karnataka, Bangalore.
2. The Comptroller and Auditor
General of India, No. 10,
Bahadur Shah Zafar Marg,
New Delhi.
3. The Government of India,
by its Secretary,
Ministry of Finance,
Department of Expenditure,
New Delhi

--- Petitioners

Versus

1. Shri E.V. Gobinatha Rao
2. Shri N.S. Krishna Murthy
3. Shri B.V. Narayana
4. Shri Abdurrouf Shaikh
5. Shri G.R. Penduranga
6. Shri K.S. Vaidyaswar
7. Shri K.S. Chitorakash
8. Shri A.C. Ramkumar
9. Shri C.M. Premananda Rao
10. Shri N.R. Madan Kumar
11. Shri S. Krishna Murthy
12. Shri L. Vishwanath
13. Shri S. Chandrasekharaiyah
14. Smt. B.N. Sree
15. Shri P.S. Sripathy
16. Shri M.R. Seetharam
17. Smt. N.V. Sudheela

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18. Smt. M.S. Sumithra
19. Shri Dass Setty
20. Kum. N. Kasturi
21. Smt. Bhanumathi Ramasubbu
22. Smt M. Mudamma
23. Smt. Y. Vasantha
24. Smt. C.K. Shantha --- Respondents

(All the respondents are working in the office of the A.G. (A&E) Karnataka, Bangalore)

To

The Hon'ble the Chief Justice of India
and his companion justices of the
Hon'ble Supreme Court of India.

The humble petition of the
petitioners abovenamed

MOST RESPECTFULLY SHOWETH:

1. This is a petition under Article 136 of the Constitution of India for special leave to appeal from the judgment and order dated 30.3.88 passed by the Central Administrative Tribunal, Bangalore Bench in original applications Nos. 391 to 414 of 1988. By the said judgment and order the Hon'ble Tribunal relying on its judgment and order dated 7/8.7.87 in the case of Nanjunda Swamy, directed that the respondents herein be given the pay scales prescribed by the CM dated 12.6.87 wef 1.1.1985 instead 1.4.87 provided for in the said. The petitioners submit that the said direction is contrary to the provisions of the CM dated 17.8.1987 and deserves to be set aside in the interest of justice.

SUPREME COURT
~~CRIMINAL~~ CIVIL APPELLATE JURISDICTION

No.
~~XX~~

96199
~~XXXXX~~
CIVIL APPEAL NOS. 478 OF 1989, 3179 OF 1990 AND
748 TO 771 OF 1989.

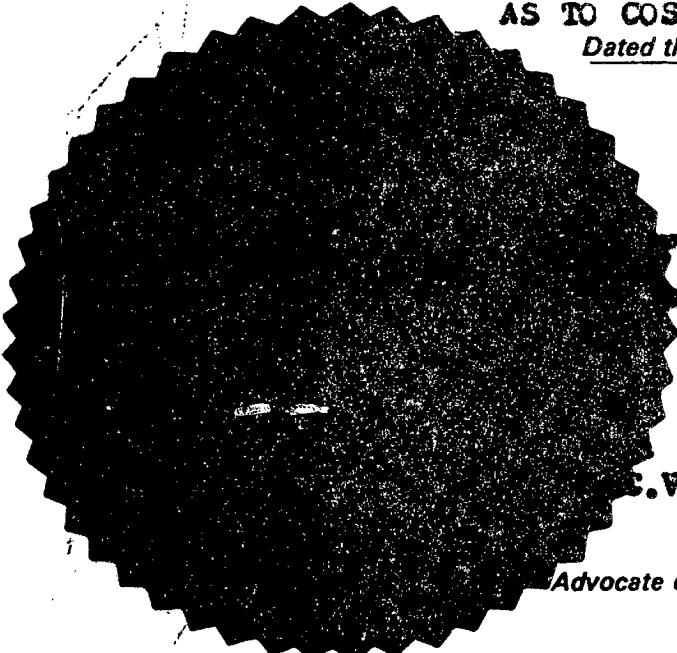
Union of India & Ors., etc. etc. ^{Appellant}
~~Particulars~~ ~~XXXXXX~~

Versus

Smt. K. C. Sunanda Devi, etc. Respondent
etc.
CENTRAL ADMINISTRATIVE TRIBUNAL, BENGALORE
BENCH, BANGALORE,
(Application Nos. 1166/88, 280/89(E) and
391 to 414 of 1988).

DECREE ALLOWING THE APPEALS WITH NO ORDER
AS TO COSTS.

Dated the 5th day of February, 199 ~~7.~~

S. V. Subba Rao,

Advocate on Record for
the Appellants.

Compared with

~~XXXXXX~~

No. of folios

Advocate on Record for
~~XXXXXX~~

YB/12.02.1998.

SEALED IN MY PRESENCE

7/3/98