

**IN THE SUPREME COURT OF INDIA**

Sup. C. 52

**CIVIL APPELLATE JURISDICTION**

**246311**

Certified to be true copy

Assistant Registrar (Judicial)

Supreme Court of India

199..

**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(F) and 391 to 414/88).

**Union of India & Ors., etc. etc.**

**..Appellants.**

**Versus**

**Shri. 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. PARIPHOORNAN**

**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 7. 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 :

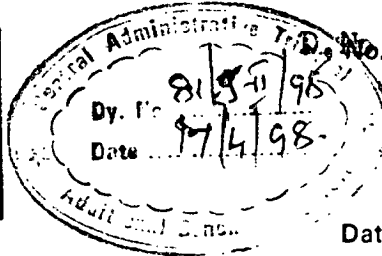
AND THIS COURT DOETH FURTHER ORDER that this ORDER  
be punctually observed and carried into execution by all  
concerned;

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.

Dr

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



*Copy - 2 file of C.A. 391 to 414/88 (P)*

**SUPREME COURT  
INDIA**

**NEW DELHI**

Dated. the *20th* February, 1998.

*By 22/2/98*  
*23/4*

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

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

*50/37*  
*16/4/98*  
*Smt. R*

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,

*Get 15th letter of Feb '98 (63-98 is on Certified copy of these in) with which copy of Decree was sent 27/6/98*

In continuation of this Registry's letter of even number dated the *20th* 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,

*[Signature]*  
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. 438/85

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. Chandrasekharaiah  
No.187, A.G.'s Layout  
Raj Mahal Vilas II stage  
Bangalore -54.

10370

....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  
214  
Settle date - 13  
A.N. 3179/90  
4  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION ( CIVIL ) NO. OF 1990.

In the matter of :

1. Union of India  
through Secretary,  
Ministry of Communications,  
Sanchar 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)  
Schneider  
C.A. Nos 748-751/89  
59  
16176-99  
OF 1988

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. Chitprakash
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. Chandrasekharaiiah
14. Smt. B.N. Sree
15. Shri P.S. Sripathy
16. Shri M.R. Seetharam
17. Smt. N.V. Susheela

60

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 1.1.1986 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~~

of 199  
~~XXXX~~

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

Union of India & Ors., etc. etc. <sup>Appellant</sup>  
~~XXXXX~~ <sup>Petitioner</sup> s

Versus

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

CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE  
BENCH, BANGALORE,

(Application Nos. 1166/88, 280/89(R) and  
391 to 414 of 1988).

DECREE ALLOWING THE APPEALS WITH NO ORDER  
AS TO COSTS.

Dated the 5th day of February, 1997.

C.V. Subba Rao,

Advocate on Record for the Appellants.

Compared with

~~XXXXX~~

No. of folios

Advocate on Record for  
~~XXXXXXXXXXXX~~

YB/12.02.1998.

SEALED IN MY PRESENCE

63  
7/3/98