

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 16 DEC 1988

CONTEMPT
PETITION (CIVIL) APPLICATION NOS 75 to 182 /88
IN A.NOS. 391 to 414, 436 to 456, 526 to 546, 548 to 566 & 569 to 591/88(F)
W.P. NO.

Applicant(s)

Shri E.V. Gopinatha Rao & Ors
To

Respondent(s)

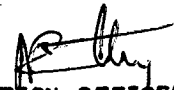
V/s The Accountant General (A&E), Karnataka,
Bangalore & 2 Ors

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

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAX/INTERIM ORDER~~
passed by this Tribunal in the above said C.P. (Civil) application(s) on 29-11-88.


SECTION OFFICER
~~SECRETARY~~
(JUDICIAL)

Encl : As above

In the Central Administrative
Tribunal Bangalore Bench,
Bangalore

page-3

E.V. Gopinatha Rao & Ors

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

Contempt Petn.75 to 182/88

Order Sheet (contd)

Dr M.S. Nagaraja

M.S. Padmarejaiah

Date	Office Notes	Orders of Tribunal
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TRUE COPY

AP 16/12/88
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

KSP/LHAR: 29.11.88 *CP/100*

Petitioners by Dr.M.S.Nagaraja.

Respondents by Shri M.S.
Padmarejaiah.

Dr.Nagaraja reports that the orders made in favour of the petitioners have been implemented by making payments that are legitimately due to them.

In this view, these petitions no longer survive for consideration.

We, therefore, drop these contempt of court proceedings as having become infructuous. But in the circumstances of the cases we direct the parties to bear their own costs.

Sd/-
(K.S.PUTTASWAMY)
VICE CHAIRMAN
29.11.88

Sd/-
(L.H.A.REGD)
MEMBER(A)
29.11.88

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 9 AUG 1988

IA II IN APPLICATION NOS
W.P. NO.

391 to 414, 436 to 456,
526 to 546, 548 to 566 & 569 to 591/88(F)

Applicant(s)

Shri E.V. Gopinatha Rao & Ors
To

Respondent(s)

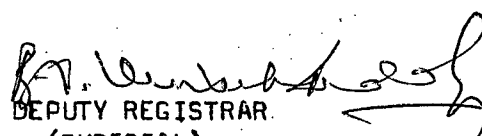
The AG (A&E), Karnataka, Bangalore & 2 Ors

1. Dr M.S. Nagareja
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

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 1-8-88.


DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

Date	Office Notes	Orders of Tribunal
1.8.1988	/and	<p>KSPVC/DSM</p> <p>A No.391 to 414/88(F) C/w 436 to 456/88(F) 526 to 546/88(F) 548 to 566/88(F) 564 to 591/88(F)</p> <p><u>Orders on IA No.II -- application for extension of time:</u> In all these cases the Respondents have sought for extension of time by another 45 days either to obtain an order of stay from the Supreme Court or to comply with the orders of this Tribunal. IA No.II is opposed by the applicant.</p> <p>In IA No.II the Respondents have stated stated that they have taken effective steps to challenge the orders before the Supreme Court/until the matters are taken up and decided by the Supreme Court it is necessary for this Tribunal to extend the time at least by another 45 days. Shri M.S.Padmarajaiah, learned senior standing counsel appearing for the Respondents urges for the extension of time sought in these applications. Dr.M.S.Nagara-ja, learned counsel for the applicants opposes the application for extension of time.</p> <p>When the Respondents say that they have taken all the necessary effective steps for approaching the Supreme Court, it is only proper that we should grant a reasonable time to enable them either to obtain an order of stay from the Supreme Court or to comply with the orders of this Tribunal. We consider it proper to grant time by another 45 days from this day.</p> <p>In the light of our above discussion we allow IA No.II and extend time in all these cases till 15.9.1988.</p>



Sd/-
VICE CHAIRMAN

Sd/-
MEMBER (A)

TRUE COPY

R. Venkatesh
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 13 APR 1988

APPLICATION NOS. 526 to 546 /88(F)

W.P. NO. _____

Applicant

Shri D. Krishna Moorthy & 20 Ors

To

1. Shri D. Krishna Moorthy
2. Smt N. Vishalakshy
3. Shri M.N. Vasudeva
4. Shri C.A. Vijaya
5. Smt K. Durgambal
6. Shri R. Nagalingam
7. Shri M. Krishna Reddy
8. Shri G.M. Nagarajan
9. Shri Azmath Ali
10. Shri C.S. Natarajan
11. Shri B. Subramanya
12. Shri H.K. Anatha Rao
13. Shri B.S. Venkobachar
14. Smt M. Devaki
15. Smt J. Rajmala Julia
16. Smt S. Ananda Valli
17. Shri M. Alfred
18. Shri M.V. Ramachaitanya

Respondent

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

19. Shri D.R. Venkataramanan
 20. Smt G. Ramabai
 21. Smt Geetha Rani C.
- (Sl Nos. 1 to 21 -

Senior Accountants
Office of the Accountant General (A&E)
Karnataka, Bangalore - 560 001)

22. Dr M.S. Nagaraja
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhinagar
Bangalore - 560 009
23. The Accountant General
(Accounts & Entitlements)
Karnataka, Bangalore - 560 001
24. The Comptroller & Auditor General of India
No. 10, Bahadur Shah Zafar Marg
New Delhi - 110 002
25. The Secretary
Ministry of Finance
(Department of Expenditure)
New Delhi - 110 001
26. Shri M. Vasudeva Rao

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH, High Court Building
Bangalore - 560 001Please find enclosed herewith the copy of ORDER/~~XXXX/XXXXXX/XXXX~~
passed by this Tribunal in the above said application on 6-4-88.DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

Received copies
for all applicants
M. Vasudeva
14/4/88
(M/12 MA 5 12 ALU)
APPLICANT
W.P. NO. 569-88
O/C 591/88(F)

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 6TH DAY OF APRIL, 1988.

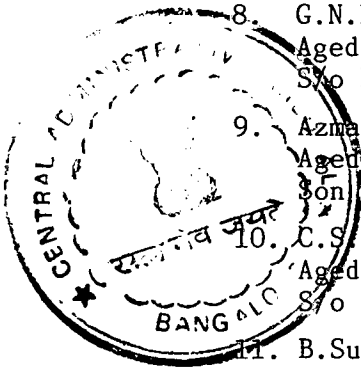
PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy, .. Vice-Chairman.
And
Hon'ble Mr. P. Srinivasan. .. Member(A).

APPLICATIONS NOS. 526 TO 546 OF 1988

1. D. Krishna Moorthy,
Aged 54 years,
S/o late Doraiswamy.
2. Smt. N. Vaisalakshy,
Aged 48 years,
W/o V.N. Hariharan.
3. M.N. Vasudeva,
Aged 48 years,
S/o late M.N. Anandaswar.
4. C.A. Vijaya,
Aged 49 years,
S/o M.S. Chandrasekharan.
5. Smt. K. Durgambal,
aged 47 years,
W/o of C. Chinna Raju.
6. R. Nagalingam,
Aged 59 years,
S/o late Ramaswamy,
7. N. Krishna Reddy,
Aged 46 years,
S/o Nanjappa.
8. G.N. Nagarajan,
Aged 52 years,
S/o Dr. G.R. Narasimha Iyengar.
9. Azmathi Ali,
Aged 47 years,
Son of late Mamtay Ali.
10. C.S. Natarajan,
Aged 52 years,
S/o late C.N. Subramanyan.
11. B. Subramanya,
Aged 48 years,
S/o late Venkataramaiah.
12. H.K. Anantha Rao,
Aged 50 years,
S/o late H. Keshavaiah.
13. B.S. Venkobachar,
Aged 57 years,
S/o late B. Subbannachar.

.. Applicants
Contd..



14. Smt. M.Devaki,
Aged 48 years,
W/o of M.Ramaswamy.
 15. J.Rajmala Julia,
Aged 47 years,
W/o T.X.Johni.
 16. S.Ananda Valli,
Aged 42 years,
 17. M.Alfred,
Aged 45 years,
S/o J.D.Martin.
 18. M.V. Ramachaitanya,
Aged 57 years,
S/o late M.Venkatachar.
 19. D.R.Venkataramanan,
Aged 57 years,
S/o D.K.Ramachandra Iyer.
 20. G.Ramabai,
Aged 44 years,
W/o H.S.Satyanarayana Murthy.
 21. Smt. Geetha Rani.C.,
Aged 49 years,
W/o M.S.Chandramouli.
- (Applicants 1 to 21 are working as Senior Accountants in the office of the Accountant General, Karnataka, Bangalore-1.

.. Petitioners.

(By Dr.M.S.Nagaraja, Advocate)

v.

1. The Accountant General,
(Accounts and Entitlements)
Karnataka, Bangalore-560 001.
2. The Comptroller and Auditor
General of India,
No.10, Bhadur Shah Zafar Marg,
New Delhi-110 002.

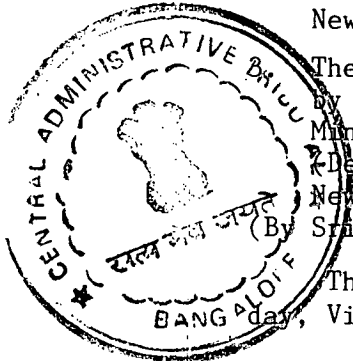
The Government of India,
By the Secretary,
Ministry of Finance,
(Department of Expenditure)
New Delhi-100 001.
(By Sri M.Vasudeva Rao, Standing Counsel)

.. Respondents

These applications having come up for preliminary hearing this day, Vice-Chairman made the following:

ORDER

Applicants by Dr.M.S.Nagaraja. Admit. At our direction Sri M.Vasudeva Rao, learned Additional Central Government Standing Counsel takes notice for the respondents. We have heard learned counsel for both sides.



2. The facts and circumstances and the questions that arise for determination in these cases are similar to those in NANJUNDASWAMY AND OTHERS v. ACCOUNTANT GENERAL AND OTHERS [A.No.1327 to 1332 of 1986 decided on 7/8-7-1987 since reported in 1987 (3) SLJ (CAT) 531]. The distinction and difference if any sought to be made by the respondents has also been rejected by us in THE ACCOUNTANT GENERAL AND OTHERS v. SMT. VASANTHA AND OTHERS (R.A.No.29 to 45 of 1988 dated 25th March,1988)

3. For the self same reasons stated in Nanjundaswamy's and Smt. Vasantha's cases, the claim of the present applicants for revision of their pay scales with effect from 1-1-1986 instead of 1-4-1987 as sanctioned by Government merits consideration and, therefore, we uphold the same on the principle de similibus idem est iudicium in like cases the order is the same.

4. In the light of the foregoing, we make the following orders:

- (1) We declare that the applicants are entitled to the benefits of revision of pay scales as sanctioned by Government of India in their order dated 12-6-1987 with effect from 1-1-1986.
- (2) We direct the respondents to fix the pay of the applicants in the said revised pay scale in accordance with the instructions contained in the aforesaid order dated 12-6-1987 of the Government of India, with effect from 1-1-1986 and extend to them all consequential benefits from that date expeditiously and in any case not later than three months from the date of receipt of this order.

Applications are allowed in the above terms. But, in the circumstances of the cases, we direct the parties to bear their own



np

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Sd/-
VICE-CHAIRMAN.

6/4/88

Sd/-
MEMBER(A)

DEPUTY REGISTRAR (JDL) 1377
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE