

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 26 APR 1988

APPLICATION NOS. 638 to 646 /88(F)

W.P. NO. _____

Applicant

Shri A. Rajanna & 8 Ors

To

1. Shri A. Rajanna
2. Shri R. Parimala Rao
3. Shri Raghavendra Rao
4. Shri D.R. Gopalakrishna
5. Shri K.R. Seetharamaiah
6. Shri T. Somasekhara Rao
7. Shri G.N. Krishna Swamy
8. Shri K.M. Chakrapani Rao
9. Shri Jayarama Sharma

(Sl Nos. 1 to 9 -

Assistant Accounts Officers
Office of the Accountant General
(Accounts & Entitlements)
Karnataka, Bangalore - 560 001)

10. Dr. M.S. Nagareja
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhinagar
Bangalore - 560 009

Respondent

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

11. The Accountant General
(Accounts & Entitlements)
Karnataka, Bangalore - 560 001
12. The Comptroller & Auditor General
of India
No. 10, Bahadur Shah Zafar Marg
New Delhi - 110 002
13. The Secretary
Ministry of Finance
(Department of Expenditure)
New Delhi - 110 001
14. 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 on 21-4-88.

Issued
N. N. V.
27.4.88
Encl : As above

o/c. *[Signature]*
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

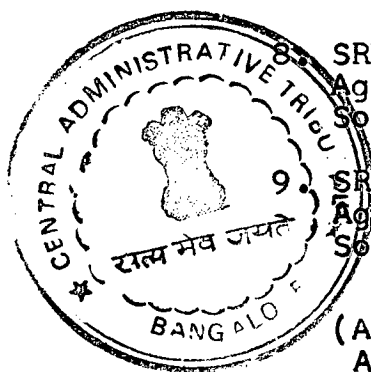
DATED THIS THE TWENTY FIRST DAY OF APRIL, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy ..Vice-Chairman
And

Hon'ble Shri P. Srinivasan ..Member (A)

APPLICATION NOS. 638 TO 646 OF 1988

1. SRI A. RAJANNA,
Aged 48 years,
Son of Late A. Dasappa,
2. SRI.R. PARIMALA RAO,
Aged 45 years,
Son of Sri.N. Rama Rao,
3. SRI. RAGHAVENDRA RAO,
Aged 54 years,
Son of Gunde Rao,
4. SRI.D.R. GOPALAKRISHNA,
Aged 43 years,
Son of Sri Ramakrishna Iyengar,
5. SRI.K.R. SEETHARAMAIAH,
Aged 52 years,
Son of K. Raghunathaiah,
6. SRI.T. SOMASEKHARA RAO,
Aged 44 years,
Son of late Sri.T. Chandrasekhara,
7. SRI.G.N. KRISHNA SWAMY,
Aged 44 years,
Son of late Sri.G. Narasimhiah,



8. SRI.K.M. CHAKRAPANI RAO,
Aged 52 years,
Son of late K. Madhava Rao,
9. SRI JAYARAMA SHARMA,
Aged 46 years,
Son of Sri.A.N. Krishnappa,

(Applicant 1 to 9 are working as
Assistant Accounts Officers, in
the Office of the Accountant
General, Karnataka, Bangalore-1)

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

Vs.

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



Applicants

3. The Government of India,
by the Secretary,
Ministry of Finance,
(Department of Expenditure)
New Delhi-110 001.

Respondents

(Shri M. Vasudeva Rao....Advocate)

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 Shri 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 (B.A. No. 29 to 45 of 1988 dated 25th March, 1988).

3. For the self same reasons stated in Nanjundaswamy's and Smt. Vasantha' 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 judicium in like cases the order is the same.

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

- (i) 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.
- (ii) 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 costs.

TRUE COPY

Sd/-

VICE CHAIRMAN

28-4-88

Sd/-

MEMBER(A)

21/7

DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE