

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 19 JAN 1989

CONTEMPT

PETITION (CIVIL) APPLICATION NOS 327 to 409, 410 to 416, 417 to 429 & 434 to 442/88
IN APPLICATION NOS. 218 to 239, 263 to 281, 283 to 303, 415 to 435, 625 to 631, 632 to 637,
U.P. NO. 647 to 653, 769 to 771 & 866 to 871 / 88(F)

Applicant(s)

Shri P. Chander Mohan & 111 Ors
To

Respondent(s)

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

1. Shri I.M. Shariff
Advocate
35 (Above Hotel Swagath)
Ist Main, Gandhinagar
Bangalore - 560 009
2. Shri R.S.A. Rao
Accountant General
(Accounts & Entitlements)
Karnataka
Bangalore - 560 001
3. Shri T.N. Chaturvedi
Comptroller & Auditor General of India
No. 10, Bahadur Shah Zafar Marg
New Delhi - 110 002

4. Shri S. Venkataraman
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/STRAK/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 18-1-89.

Encl : As above


P.S. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

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Office Notes

Orders of Tribunal

18.1.1989

KSPVC/LHARMC.P. 410 to 416/88(F)

Petitioners by Shri I.M.Shariff.
 Respondents by Shri M.S.Padmarajaiah.

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

3. Shri Padmarajaiah, learned Senior Central Government Standing Counsel appearing for the respondents brought to our notice that the Hon'ble Supreme Court had stayed the operation of the orders made in favour of the petitioners and, therefore, submitted that these Contempt of Court proceedings are liable to be dropped. We find this submission of Shri Padmarajaiah is correct. On this, these contempt proceedings are liable to be dropped. We, therefore, drop the contempt proceedings. But in the circumstances of the cases we direct the parties to bear their own costs.



C.P. No.327 to 409,
417 to 429 and
434 to 442/88(F)

Petitioners by Shri I.A.Shariff.
 Respondents by Shri M.S. Padmarajaiah.

2. In these petitions made under Section 17 of the Administrative Tribunals Act, 1985, and Contempt of Courts Act, 1971, the petitioners have moved this

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

C.P.(Civil) Nos. 327 to 409, 410 to 416, 417 to 429 & 434 to 442/88

P. Chander Mohan & 111 Ors

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

Order Sheet (contd)

I.M. Sheriff

M.S. Padmarajaiah

Date	Office Notes	Orders of Tribunal
		<p>Tribunal to initiate contempt proceedings against the respondents for non-implementation of the orders made in their favour by this Tribunal.</p> <p>3. Shri Padmarajaiah, learned Senior Central Government Standing Counsel, appearing for the respondents placed before us, orders made by the authority in favour of the petitioners pursuant to the orders of this Tribunal subject to the terms and conditions specified therein. We are of the view that the aforesaid orders of the authority which would eventually result in payments to the petitioners implementing the orders made in their favour by this Tribunal. In these circumstances we consider it proper to drop these contempt proceedings against the respondents. We, therefore, drop these contempt proceedings against the respondents. But in the circumstances of the cases we direct the parties to bear their own costs.</p>

TRUE COPY

Sd/-

(K.S.PUTTASWAMY)
VICE CHAIRMAN
18.1.1989

Sd/-

(L.H.A.REGO)
MEMBER (A)
18.1.1989

Mr. Chander Mohan & 111 Ors
C.P.(Civil) Nos. 327 to 409, 410 to 416, 417 to 429 & 434 to 442/88

D.No.7/89/Section-IV-A

SUPREME COURT OF INDIA
NEW DELHI

Dated: 9th February, 1989

From:

The Assistant Registrar
Supreme Court of India
New Delhi.

To

✓ The Registrar
Central Administrative Tribunal
Bench at Bangalore
Commercial Complex (B.D.A.)
Bangalore - 560 038

CIVIL MISCELLANEOUS PETITIONS NOS.33630-36 OF 1988
(Applications for ex-parte stay)

IN THE MATTER OF:

CIVIL APPEALS NOS.726-32 OF 1989.

The Accountant General, Karnataka & Ors. . .

Appellants/
Petitioners.

Versus

Smt. S. Sarla Kumari and others.

..

Respondents.

Sir,

I am directed to forward herewith for your information and necessary action a certified copy of the Order of this Court dated 6th February, 1989 passed in the applications above-mentioned.

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22/2/89

Yours faithfully,

ASSISTANT REGISTRAR.

AS |

Rajendra
Shukla

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S. C. I.

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FOURTH GRADE

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1941-1945 295

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Efficiency Study

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REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 27 APR 1988

APPLICATION NO. 647 to 653 / 88(F)

W.P. NO. _____

Applicant

Smt S. Sarala Kumari & 6 Ors

To

1. Smt S. Sarala Kumari
2. Ms K. Padmavathamma
3. Shri Azeezulla Baig
4. Shri B. Suryanarayana Rao
5. Shri C. Srinivasan
6. Shri Mohamed Zakaulla M.
7. Shri M. Seetharama Holla

(Sl Nos. 1 to 7 -

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

8. Dr M.S. Nagaraja
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhi Nagar
Bangalore - 560 009

Respondent

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

9. The Accountant General
(Accounts & Entitlements)
Karnataka, Bangalore - 560 001
10. The Comptroller & Auditor General
of India
No. 10, Bahadur Shah Zafar Marg
New Delhi - 110 002
11. The Secretary
Ministry of Finance
(Department of Expenditure)
New Delhi - 110 001
12. Shri M. Vasudeva Rao
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Encl : As above

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. 647 TO 653 OF 1988

1. SMT. S. SARALA KUMARI,
Aged 39 years,
Wife of G. Jeevan,
2. K. PADMAVATHAMMA,
Aged 51 years,
Daughter of late K. Keshavamurthy,
3. SRI AZEEZULLA.BAIG,
Aged 50 years,
Son of M. Abdul Sattar Baig,
4. SRI.B. SURYANARAYANA RAO,
Aged 46 years,
Son of late B. Lakshminarayana Rao,
5. SRI.C. SRINIVASAN,
Aged 49 years,
Son of late S.M. Chinnadurai,
6. SRI. MOHAMED ZAKAULLA.M.,
Aged (Major)
Son of Mohamed Peer.S
7. SRI.M. SEETHARAMA HILLA
Aged 39 years,
Son of M. Sannappa Holla

(Applicants 1 to 7 are working as
Senior Accountant, in the O/O the
Accountant General, Karnataka, Bangalore) Applicants

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

Vs.

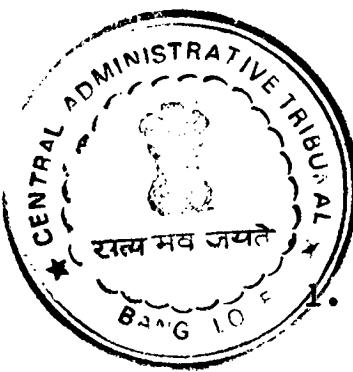
1. The Accountant General,
(Accounts and Entitlement)
Karnataka, Bangalore-1.

2. The Comptroller and Auditor
General of India,
No.10, Bhadur Shah Zafar Marg,
New Delhi-110 002.

3. The Government of India,
by its 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:

O R D E R

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 (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 Consideratio 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:

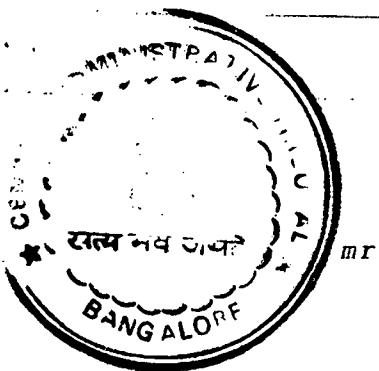
(i) We declare that the applicants



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.

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



Sd/-

VICE CHAIRMAN

21-4-88

Sd/-

MEMBER (A)

TRUE COPY

By Deputy Registrar
DEPUTY REGISTRAR (JDL) 25/4/88
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE