

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 924/92

~~TRANSMISSION NUMBER~~

DATE OF DECISION: 22.6.94

Shri Bhalchandra Gangdhar Karandikar Petitioner

Shri S.M.Dharap Advocate for the Petitioners

Versus

Union of India and others Respondent

Shri A.I. Bhatkar Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S. Deshpande, Vice-Chairman

The Hon'ble Shri

1. To be referred to the Reporter or not?
2. Whether it needs to be circulated to other Benches of the Tribunal?


(M.S. Deshpande)
Vice Chairman.

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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 924/92

Shri Bhalchandra Gangdhar Karandikar ...Applicant.

V/s.

Union of India through
Secretary,
Ministry of Science & Technology,
Lodi Road, New Delhi.

Deputy Director of Meteorology (S.I.)
Indian Meteorological Department
Shivaji Nagar, Pune. ... Respondents.

CORAM: Hon'ble Shri Justice M.S. Deshpande, Vice Chairman.

Appearance:

Shri S.M. Dharap, counsel
for the applicant.

Shri A.I. Bhatkar, counsel
for the respondents.

ORAL JUDGEMENT

Dated: 22.6.94

{ Per Shri M.S. Deshpande, Vice Chairman }

The only question which has arisen for consideration in the present case is the position of the applicant on the basis of the position of Shri M.R. Nagarkar who came to be appointed on 30.12.58 and the applicant ^{who} was appointed on 27.12.58. Shri Dharap has urged that the applicant is entitled to the pay fixation given to Shri K.V. Kamble. It is apparent from the seniority list shown by the respondents that Shri Kamble is at serial No.14 and senior to the applicant. It was therefore not possible for Shri Dharap to argue that Shri Kamble was junior to the applicant and what was given to him, the applicant ought to have received.

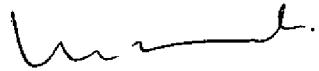
2. Turning to the position of Shri M.R. Nagarkar, it has been set out in the annexure to the sur-rejoinder which has been filed by the respondents that Shri Nagarkar was given promotion under selection quota on 13.10.71. He belongs to scheduled caste community. The applicant cannot therefore base his claim on the basis of what Shri Nagarkar got.

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3. Shri Dharap very fairly stated that all the arrears which should have been paid on the basis of his pay fixation as on 1.1.86 at Rs. 1600/- had been paid to him except the arrears of Dearness Allowance. Shri Bhatkar, counsel for the respondents states that the arrears of Dearness Allowance which had arisen on revision of Dearness Allowance will be paid to the applicant.

4. In the result the only direction that can be ^{and is} given to the respondents is that they shall pay the arrears of Dearness Allowance based on revision of Dearness Allowance within two months from the date of communication of the order.

5. There shall be no order as to costs.


(M.S. Deshpande)
Vice Chairman.

NS