

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1016/92

Transfer Application No: --

DATE OF DECISION 20-10-93

Shri Vishwanath Pandharinath Joshi Petitioner

Mr.S.P.Kulkarni Advocate for the Petitioners

Versus

Union of India & Ors. Respondent

Mr.P.M.Pradhan Advocate for the Respondent(s)

CORAM:

• The Hon'ble Shri Justice M.S.Deshpande, V.C.

The Hon'ble Shri --

1. ~~Whether Reporters of local papers may be allowed to see the Judgement ?~~
2. To be referred to the Reporter or not ? *no*
3. ~~Whether their Lordships wish to see the fair copy of the Judgement ?~~
4. Whether it needs to be circulated to other Benches of the Tribunal ? *no*


(M.S.DESHPANDE)
VC

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A.1016 /92

Shri Vishwanath Pandharinath Joshi,
30/425, Lokmanyagar, Pune - 411030 .. Applicant

-versus-

1. Union of India
through
The Director of Post
Dak Bhavan,
New Delhi - 110 001.
2. The Chief Postmaster General,
Maharashtra Circle, G.P.O.
Building,
Bombay - 400 001. .. Respondents

Coram: Hon'ble Shri Justice M.S. Deshpande
Vice-Chairman

Appearances:

1. Mr. S.P. Kulkarni
Advocate for the
Applicant.
2. Mr. P.M. Pradhan
Counsel for the
Respondents.

ORAL JUDGMENT:
[Per M.S. Deshpande, V.C.]

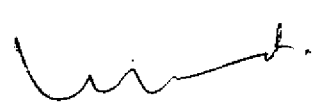
Date: 20-10-1993

The only question which arises in this case is whether the applicant should be given the same entitlement which ~~ix~~ his next junior S.H. Bhavé got by virtue of the latter's junior S.J. Gunari got. The applicant was promoted as Group 'B' officer on 1-8-81 and his pay was fixed at Rs. 845/- After earning an annual increment on 1-8-82 he was entitled to Rs. 880/- Shri Bhavé was promoted on 21-8-82 and his pay was fixed at Rs. 880/- On 1-4-83 he was getting Rs. 920/- Bhavé made a representation before he was fixed at Rs. 920/- that he should be given the same entitlement as

Gunari because Gunari who was junior to Bhave was getting Rs.920/- The applicant's grievance is that he should not have got anything less than what Bhave should have got. On these bare facts it is difficult to understand why the applicant should not have got on 21-10-82 Rs.920/-

2. Shri S.P.Kulkarni learned counsel for the applicant makes it clear that he is not seeking any arrears and that he is only seeking a notional fixation for the purpose of his pension and that since he retired in 1991 his entitlement for pension should be fixed on the basis that he was drawing Rs.920/- on 21-10-82 notionally and the subsequent increment which he should have been drawn in the scale of pay to which he belonged.

3. In the result the application is allowed only to the extent that applicant's entitlement for pension on the basis that he was getting Rs.920/- in the scale of pay and on the basis of increment which he would have earned thereafter until his retirement. The amount of pension in this basis shall be worked out within four months from the date of communication of this order and the pensionary arrears shall also be paid within the same period.


(M.S.DESHPANDE)
Vice-Chairman

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