

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 8 JUN 1993

APPLICATION NO(s). 140 of 1993.

Applicant(S) K.Subrahmanyam

v/s.

Respondent(s) Accountant
General(A&E),
Bangalore.

To

1. Sri.K.Subrahmanyam,
Senior Accountant.
Office of the
Accountant General(A&E),
Karnataka, Bangalore.

2. The Accountant General(A&E),
Karnataka, No.1, Residency
Park Road, Bangalore-1.

3. Secretary,
Ministry of Finance,
Department of Expenditure.
Central Secretariat,
New Delhi.

4. Sri.M.Vasudeva Rao,
Central Govt. Stng. Counsel,
High Court Building,
Bangalore-1.

SUBJECT:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore Bench
Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY/INTERIM ORDER passed by this Tribunal in the above said
application(s) on 3rd June, 1993.

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[Signature]
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

[Signature]

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE THIRD DAY OF JUNE 1993

Present:

Hon'ble Mr. Justice P.K. Shyamsundar ... Vice Chairman

APPLICATION NO. 140/93

K.Subrahmanyam,
Senior Accountant,
Office of the Accountant General [A&E],
Karnataka, Bangalore.

... Applicant

v.

1. The Accountant General,
A&E, Office of the Accountant
General [A&E], Karnataka,
No.1, Residency Park Road,
Bangalore-1.
2. Union of India represented by
the Secretary to Govt. of India,
Ministry of Finance,
Department of Expenditure,
Central Secretariat,
New Delhi.

... Respondents

[Shri M. Vasudeva Rao ... Advocate]

This application having come up for hearing before this Tribunal today, Hon'ble Mr. Justice P.K. Shyamsundar, Vice-Chairman made the following:

O R D E R

1. Having heard the applicant appearing in person and the learned counsel for the respondents Shri M. Vasudeva Rao it transpires that while fixing the pay scale of the applicant herein in terms of O.M. dated 3.8.1990 no consideration is paid to the specific injunction under Rule 7 of the CCS [Revised Pay] Rules. In the counter statement filed on behalf of the Government it is stated that although pay fixation was not done under Rule



7 something was done under Rule 9 and the same be treated as done under Rule 7. This contention clearly is unacceptable.


It becomes apparent that the fixation of pay on the basis of Rule 7 has not been done. In the circumstances I direct the same to be redone.

2. Hence it is I allow this application, quash the impugned Office Order dated 4.9.1992 and direct the respondents to re-do the applicant's pay fixation in terms of O.M. dated 3.8.1990. Refixation to be done within three months from date of receipt of a copy of this order. Let a copy of this order be furnished to the respondents immediately. No costs.



sd-
3/10/93
VICE CHAIRMAN

TRUE COPY


876193
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

B-606

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

ORDER SHEET

CP(Civ) Application No. 34/ of 1993
in DA No. 140/93

Applicant

Respondent

K. Subrahmanyam

The AG(A&E), B'lore & anr

Advocate for Applicant

Advocate for Respondent

IN Person

Date	Office Notes	Orders of Tribunal
		VR (MA) ANV (MJ) 11.10.93
		Heard the applicant in person. We, hereby, direct the alleged con- temptners i.e. the respondents, hav- ing regard to the represen ation made by the applicant and the interim reply of the respondents in memo dated 14.9.93 that the matter should be finalised within two months from the date of receipt of a copy of this order. Accordingly this C.F. disposed off, on the ground that at this stage there is no contempt ^{in committee} by the respon- dents.
		Sd- MEMBER (J)
		Sd- MEMBER (A)

TRUE COPY

SECTION OFFICER

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

15/10/93