

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: 1 SEP 1993

APPLICATION NO(s). 322 of 1993. \_\_\_\_\_/

Applicant(s) S.S.Sethumadhavan and v/s. Respondent(s) Secretary, Ministry  
Six Others. of Defence, N.Delhi & Others.

To:

1. Sri.S.S.Sethumadhavan,
2. Sri.T.S.Srinivasan,
3. ~~Smt.~~ B.N.Jayanthi Malini,
4. Sri.M.Aswathanarayana,
5. Sri.K.Balaraj,
6. Sri.Vishwanath Vakade and
7. ~~Smt.~~ J.S.Vijayalakshmi.....All are working as Senior  
Scientific Assistants, Aeronautical Development Establishment,  
C.V.Raman Nagar, Bangalore-560 093.
8. Sri.M.Narayanaswamy, Advocate, No.844, Upstairs Fifth Block,  
Rajajinagar, Bangalore-560 010.
9. The Secretary, Ministry of Defence, South Block, New Delhi.
10. The Scientific Adviser & Director General, R&D, South Block,  
Ministry of Defence, New Delhi.
11. The Director, Aeronautical Development Establishment,  
C.V.Raman Nagar, Bangalore-93.
12. The Director, D.F.R.L., Mysore.
13. Sri.M.S.Padmarajaiah, Central Government Standing 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 18-08-93.-----

*Signed  
&  
by*

*Ne*

*for* *N. J. S.*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES. 11/9/93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH, BANGALORE

DATED THIS THE 18TH DAY OF AUGUST, 1993

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

APPLICATION NO.322/1993

1. S.S.Sethumadhavan
2. T.S.Srinivasan
3. B.N.Jayanthi Malini
4. M.Aswathanarayana
5. K.Balaraj
6. Vishwanath Vakade
7. J.S.Vijayalakshmi

Applicants

(All are working as Senior Scientific Assistants, A.D.E., C.V.Raman Nagar Bangalore - 93)

(Shri.M.N.Swamy - Advocate)

Vs.

1. The Union of India,  
rep. by its Secretary to Govt.  
Ministry of Defence, South Block,  
New Delhi - 11.
2. The Scientific Advisor &  
Director General, R&D South Block,  
Ministry of Defence,  
New Delhi - 11
3. The Director,  
A.D.E., C.V.Raman Nagar,  
Bangalore - 93.
4. The Director,  
D.F.R.L., Mysore

Respondents

(Shri.M.S.Padmarajaiah, Advocate)

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




O R D E R

It seems to me that all I have to do is to direct the Department to consider the claim of the applicant for being treated on par with those people who were extended the benefit of the higher scale of pay of Rs.2375-3500 pursuant to an order of this Tribunal in O.A.No.458 to 500/1990 (R.PINTO & Ors v. Union of India) disposed off on 30-12-1991 wherein Pinto and his colleagues were granted the benefit of the Higher pay scale of Rs.2375-3500 w.e.f. 1-1-88.

2. I am told that Pinto and others who got substantial benefits in terms of the orders of the Tribunal as aforesaid were all juniors to the applicant in the same cadre. It is, therefore, urged rightly that Department should extend for these people also the benefit given to other officials who were parties to the decision of the Tribunal in the case referred to supra.

3. I agree. If the claim of the applicant is no different from what was upheld in the earlier cases i.e. in Pinto's case there is little reason not to extend the same benefits to the applicant subject of course to the condition that he is really eligible for such benefits. Under the circumstances, what I should do is to direct the Department to consider the claim of the applicant for awarding the benefit of the judgment rendered in Pinto's case



referred to supra. The Department will take a decision in that behalf within three months from the date of receipt of a copy of this order.

No costs.

4. (M.P. filed therein stand allowed.  
Applicants are permitted to prosecute the case in one cost.



*Sd*  
*very*  
(P.K.SHYAMSUNDAR)  
VICE CHAIRMAN

TRUE COPY  
*N. S.*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE  
*1/9/93*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-38.

Miscellaneous Application No.17/94 in

Dated: **8 MAR 1994**

APPLICATION NO(s) 322 of 1993.

APPLICANTS: S.S.Sethumadhavan and six others v/s. DEFENDENTS: Secretary, Ministry of Defence, N.Delhi & Others.  
TO.

1. Sri .M.Narayanaswamy, Advocate,  
No.844, Upstairs, 17th-G-Main,  
Fifth Block, Rajajinagar,  
Bangalore-10.
2. Sri.G.Shanthappa, Addl. Central Govt. Stng. Counsel,  
High Court Building, Bangalore-1.
3. Sri.M.S.Padmarajaiah, Central Govt. Stng. Counsel,  
High Court Bldg, Bangalore-1.

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

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Please find enclosed herewith a copy of the  
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal  
in the above mentioned application(s) on 28-02-1994.

gm\*

*O/C*  
*Issued on 8-3-94*  
*Gah*

*for* *R. Shanmugam*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

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

Application No. 329 of 1993

**ORDER SHEET (contd)**

Date	Office Notes	Orders of Tribunal
		<p>(PKS)VC/(VR)M(A) FEBRUARY 28, 1994.</p> <p><u>ORDER ON M.A.NO.17 OF 1994</u></p> <p>We have heard the learned standing counsel, apropos this application seeking more time to comply with the direction of this Tribunal. The judgment of the Tribunal under reference has since been upheld by the Supreme Court. In that situation we think that the Government should be more than anxious to comply with the directions of the Tribunal subsequently affirmed by the Supreme Court. But, then from that we are told to-day and from the records produced before us there does not appear to be any anxiety on the part of the administration to comply with the orders of this Tribunal, subsequently upheld by the Supreme Court as well. While we must record our strong dissent and express our displeasure regarding the delay involved in the implementation of the Tribunal's order, we however accede to the emphatic plea made by the learned Standing Counsel for more time. Acceeding to his request for</p>



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Date	Office Notes	Orders of Tribunal
		<p>further extension of time,we grant four months time to comply with the orders as from to-day. We make it clear to the learned Standing Counsel, through him to his clients, that on no account any further extension of time will be granted. Let a copy of this order be made available to the Government counsel. We direct that one more application of a similar nature said to be pending in O.A.No.9/94 but listed before the other bench is ordered to be brought before this Bench and disposed off in like terms.</p> <p>Sd- MEMBER(A) psp.</p> <p>Sd- VICE-CHAIRMAN.</p> <p>TRUE COPY Sd- CENTRAL ADMINISTRATIVE TRIBUNAL ADDL. BENCH BANGALORE</p>

