

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Miscellaneous Application No.15/94 in Commercial Complex,
Second Floor,
Indiranagar,
Bangalore-38.

Dated: 8 MAR '04

APPLICATION NO(s) 324 of 1993.

APPLICANTS: K.R.Vijay and
Five Others. v/s. RESPONDENTS: Secretary, Ministry of
Defence, NDelhi and Others.

TO.

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

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

-XXX-

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.

Se. Senator [initials]
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

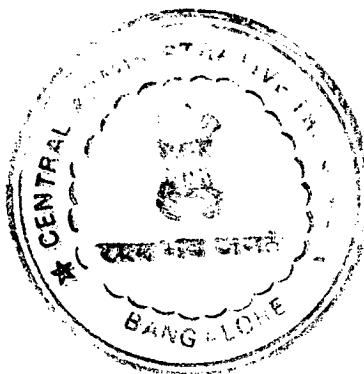
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**In the Central Administrative Tribunal
Bangalore Bench
Bangalore**

Application No. 324 of 1993

ORDER SHEET (contd)

Date	Office Notes	Orders of Tribunal
		<p><u>(PKS)VC/(VR)M(A)</u> FEBRUARY 28, 1994.</p> <p><u>ORDER ON M.P.NO.15 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</p>



Date	Office Notes	Orders of Tribunal
		<p>time. Acceeding to his request for 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><i>Se Shashikar</i> 8/3 SECTION OFFICER CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH BANGALORE</p>

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated: 1 SEP 1993

APPLICATION NO(s). 324 of 1993.

Applicant(s)

Sri.K.R.Vijay and Five Others v/s.
To

Respondent(s)

Secretary, Ministry of Defence,
New Delhi and Others.

1. Sri.M.Narayana Swamy,
Advocate, No.844,
Upstairs, Fifth Block,
Rajajinagar,
Bangalore-560 010.
2. Sri.G.Shanthappa,
Addl.Central Govt.Stng.Counsel,
High Court Building,
Bangalore-560 001.
3. Sri.M.Vasudeva Rao,
Addl.Central Govt.Stng.Counsel,
High Court Building,
Bangalore-560 001.

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.

Issued
by
Gm

or

for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

N. Deo S

1/9/93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE 16TH OF AUGUST, 1993

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

APPLICATION NO.324/1993

1. K.R.Vijay,
Senior Scientific Assistant,
D.F.R.L., Mysore
2. H.S. Phanindra Kumar,
Senior Scientific Assistant,
D.F.R.L., Mysore
3. Smt. Nagarathna
Senior Scientific Assistant,
D.F.R.L., Mysore
4. N. Vanaja,
Senior Scientific Assistant,
A.D.E., C.V. Raman Nagar,
Bangalore
5. A.T.C. Nair,
Senior Scientific Assistant,
Centre for Aeronautical Systems
Studies and Analysis
A.D.E. Complex,
C.V. Raman Nagar, Bangalore
6. Smt. K.V. Kumudavalli,
Senior Scientific Assistant,
D.F.R.L.,
Mysore

Applicant

(Shri M.N. Swamy - Advocate)

v.

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



5. The Director,
Centre for Aeronautical Systems
Studies and Analysis, A.D.E.,
C.V. Raman Nagar,
Bangalore -

Respondents

(Shri G. Shanthappa for R-1 to 4)
Shri M.V. Rao for R-5)

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

ORDER

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.Nos.458 to 500/1990
(R PINTO & ORS v. UNION OF INDIA) disposed off on
30.12.91 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.

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

Set
VICE CHAIRMAN

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

14

