

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated:

17 JAN 1994

APPLICATION NO(s) 536 of 1993.

APPLICANTS: B.S. Sadashivan v/s. RESPONDENTS: Chief Superintendent,  
Central Telegraphs, B'lore & Others.

TO.

1. Sri.T.R.Sridhara, Advocate,  
No.11, Second Floor, I-Cross,  
Sujatha Complex, Gandhinagar,  
Bangalore-9.
2. Chief General Manager,  
Karnataka Telecom Region,  
No.1, Old Madras Road,  
Ulsoor, Bangalore-8.
3. Sri.G.Shanthappa, Central  
Govt. Stng. Counsel, High  
Court Bldg, Bangalore-9.

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 03-12-1993.

*S. Shanbhag*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

*For*  
*Issued*  
*Q*  
*gm*

CETRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

O.A.No.536/93

FRIDAY THIS THE THIRD DAY OF DECEMBER 1993

Shri Justice P.K. Shyamasundar ... Vice-Chairman

Shri V.Ramakrishnan ... Member [A]

B.S. Sadashivan,  
Aged 36 years,  
S/o Sri B.H. SHivarudrappa,  
44, 5th A Cross,  
2nd Main,  
Srinivasanagar,  
Bangalore.

... Applicant

[By Advocate Shri Sridhar]

v.

1. The Chief Superintendent,  
Central Telegraph Office [Accounts],  
Bangalore-560 001.
2. The Chief General Manager,  
Telecommunications,  
Karnataka Circle,  
Bangalore.
3. The Union of India,  
represented by Secretary to Govt.,  
Ministry of Communications,  
Department of Telecommunications,  
Sanchar Bhavan,  
New Delhi.

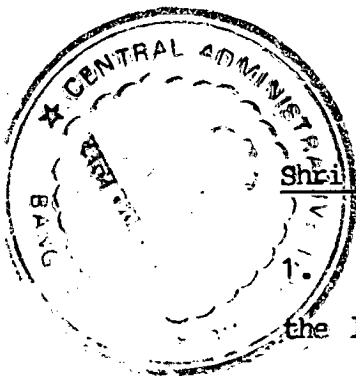
... Respondents

[By Advocate Shri G.Santhappa  
Addl. Central Government Standing Counsel]

ORDER

Shri Justice P.K. Shyamasundar, Vice-Chairman:

1. We have heard Shri Sridhar at the stage of admission and the learned Standing Counsel for the respondents as well. Pleadings being complete we propose to dispose off this application after duly admitting it. The applicant claims that he is senior to one Radhakrishna Hegde and feels aggrieved that Radhakrishna Hegde is getting more pay than himself and, therefore, wants



that his pay should be hiked to the level of Radhakrishna Hegde.

2. It is now evident that the higher pay pocket of Radhakrishna Hegde is due to the fact that he passed the Hindi Morse and Teleprinter examination much earlier than the applicant who was senior to Radhakrishna Hegde. Whereas Radhakrishna Hegde passed the examination on 16.12.1985 the applicant took some time to pass the said examination and ultimately passed on 17.4.1986. It is not in dispute that the pay of Radhakrishna Hegde appreciated in virtue of two increments that Radhakrishna Hegde got upon passing the Hindi Morse and Teleprinter examination. The applicants pay has also been stepped up after he passed the said examination on 17.4.1986. Either officials namely the applicant and Radhakrishna Hegde became eligible for the increments on account of taking advantage of the incentive offered by the department for passing those examinations.

3. The increments became available irrespective of the question whether the official was junior or senior but was dependent only on the officials success in the examination. In other words who ever passed the examination got the increment and persons passing the examination early got the increments early than those who passed it later and, therefore, got the increments later.

4. The fact that the applicant is senior to somebody else is not really of any consideration for making a comparative study of the lesser pay to the senior was drawing even after incentive increments was made available. We find the controversy herein has surfaced because of the revision of pay scales from 1.1.1986 but that has nothing to do with the demand for the pay enhance-

ment. We find no merit in the claim of the applicant and, therefore, the application is dismissed but without costs. Shri Sridhar invites our attention to ground No.5 in the application but we find nothing therein to persuade us to take a contrary view.

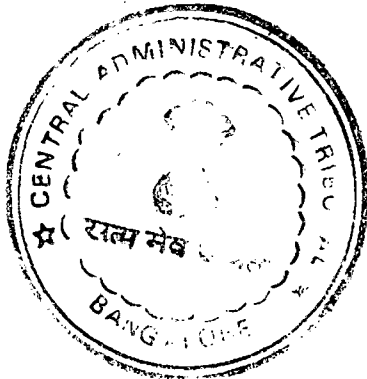
Sd/-

MEMBER[A]

bsv

Sd/-

VICE-CHAIRMAN



TRUE COPY

Sd/- S. Sridhar

SECTION OFFICER (A),  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE