

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

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

Dated: 30 SEP 1994

APPLICATION NO: 542 of 1994.

APPLICANTS:- Sri.P.Suresh MEG & Centre, Bangalore

V/S.

RESPONDENTS:- Secretary, Ministry of Defence,
New Delhi and two others.

To

1. Sri.M.Narayanaswamy,
Advocate, No.844, Upstairs,
17th-G-Main, Fifth Block,
Rajajinagar, Bangalore-560010.
2. Sri.M.S.Padmarajaiah,
Senior Central Govt. Stng. Counsel,
High Court Bldg, Bangalore-1.

Subject:- Forwarding of copies of the Order 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 22nd September, 1994.

Issued on

30/9/94 R.

Vijay
9/2 FOR DEPUTY REGISTRAR
JUDICIAL BRANCHES.

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CENTRAL ADMINISTRATIVE TRIBUNAL,
BANGALORE BENCH.

ORIGINAL APPLICATION NO. 542/ 1994

THURSDAY, THE 22ND DAY OF SEPTEMBER, 1994

SHRI V. RAMAKRISHNAN

... MEMBER (A)

SHRI A.N. VUJJANARADHYA

... MEMBER (J)

Between:

P. Suresh,
S/o Shri F. Chidambarappa,
Aged 34 years,
Civilian Instructor Foreman,
Madras Engineering Group and
Centre,
Bangalore - 560 042.

... Applicant

(By Advocate Shri M.N. Swamy)

And

1. The Union of India,
rep. by its Secretary to
Government,
Ministry of Defence,
'Raksha Bhavan',
New Delhi-1.

2. The Engineer-in-Chief,
Army Headquarters,
Kashmir House,
New Delhi-11.

3. The Commandant,
Madras Engineering Group &
Centre, Bangalore - 560 042.

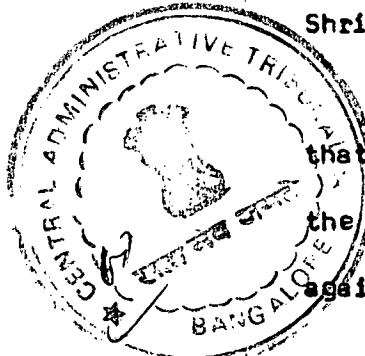
... Respondents

(By Advocate Shri M.S. Padmaraiah, Senior
Standing Counsel for Central Government)

ORDER

Shri V. Ramakrishnan, Member (A)

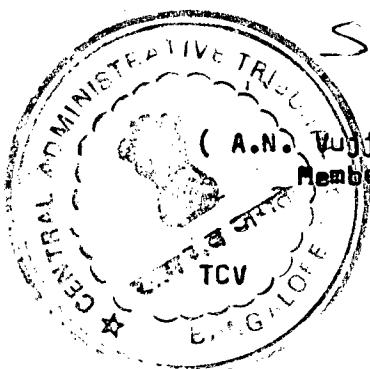
The applicant in this case has approached us with the prayer
that he should be extended the higher pay scale of Rs. 1350 - 2200 from
the date he was promoted to the post of Civilian Instructor Foreman as
against the scale of Rs. 1200 - 2040 which is made available to him.



2. The applicant joined as Storekeeper Grade-II in the Madras Engineering Group and Centre, Bangalore and was subsequently promoted as Civilian Instructor Foreman. While persons holding comparable posts in the CPWD were extended higher pay scale, the same benefit was not initially given to the organisation under the Ministry of Defence. In OA 788 to 795/86 persons holding similar posts in the Ministry of Defence had approached the Tribunal with a prayer for extending to them the higher pay scale as admissible to the Civilian Foreman in the CPWD. The Tribunal by its order dated 15.10.86 had held that the applicants should be extended the revised scale of 380 - 640 from 1.1.73 as against 330 - 560 allowed to them earlier and that on the revision of the pay scales on the recommendations of the 4th Pay Commission they should be given corresponding scale in the revised scale which is Rs. 1350 - 2200. The Tribunal had also observed that it hoped that the Government will examine the case of similarly situated persons and extend the same benefit to them instead of compelling them to take to litigation. The applicant who had been promoted as Civilian Instructor Foreman with effect from 1.12.88 had submitted a representation dated 9.3.93 as at Annexure A-4 requesting for fixation of pay in the higher scale of Rs. 1350 - 2200. We notice from the reply statement that the said representation has been forwarded by the local office to the Army Headquarters for taking up the case with the Government for enhancement of pay of Civilian Foreman similarly placed as the applicants in OA 788 to 795/86. The Army Headquarters has still not communicated to the local office the final decision in this regard.

3. We have heard Shri Madhusudan for Shri M.N. Swamy, learned Counsel for the applicant and Shri M.S. Padmarajaiah, learned Senior Standing Counsel for the respondents.

4. It is a common ground that the case of the applicant is similar to that of the applicants in OA 788 to 795/86. The only reason given by the respondents for not extending the higher scale of Rs. 1350 - 2200 is that they were awaiting a formal decision from the appropriate authorities of Army Headquarters, Ministry of Defence etc. There is a representation of the applicant as at Annexure A-4 which is still not disposed of, ^{lets} direct that the Respondents 1 & 2 to dispose of the representation of the applicant dated 9.3.93 as at Annexure A-4 and as his case is similar to the case of the applicants in OA 788 to 795/86, the same benefits as extended by the Tribunal in that OA should also be given to the applicant also. This should be implemented by the department within four months from the date of receipt of a copy of this order. No costs.



Sd/-

(A.N. Vijayaraghava)
Member (J)

Sd/-

(V. Ramakrishnan)
Member (M)

TRUE COPY

Willy
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

Miscellaneous Appn. No. 198 of 95 in

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 033.

Dated: 5 MAY 1995

APPLICATION NO.

542 of 1994.

APPLICANTS: Sri. P. Suresh,

v/s.

RESPONDENTS: The Secretary, Ministry of Defence,
New Delhi and two others.,

To

1. Sri. M. S. Padmarajaiah, Senior Central Govt.
Standing Counsel, High Court Bldg,
Bangalore-560 001.
2. Sri. M. Narayanaswamy, Advocate,
No. 844, Upstairs, 17th-G-Main,
Fifth Block, Rajajinagar,
Bangalore-560 010.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

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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 26th April, 1995.

Issued on
5/5/95

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for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

In the Central Administrative Tribunal
 Bangalore Bench
 Bangalore

MA 198/95 in

Application No. 542 of 1994

Sri. P. Suresh, 1/8, The Secy. M/o. Defence New Delhi as

ORDER SHEET (Contd.)

Date	Office Notes	Orders of Tribunal
	26.4.95	<p>VR(MA) 26.4.95.</p> <p><u>Orders on M.A. No. 198/95</u></p> <p>Heard Shri M.S.P. He says that copy of the M.A. for extension of time had already been served on Shri M.N. Swamy, counsel for the applicant.</p> <p>In the circumstances of the case, time for compliance with the orders of the Tribunal is extended upto 30.6.95.</p> <p style="text-align: right;">Sd/- m (A)</p> <p>TRUE COPY</p> <p style="text-align: right;">May 15 Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p> 