

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 999/93

Transfer Application No: --

DATE OF DECISION: 27-7-94

K. Karunakaran Petitioner

Mr. Yusuf Ravikant Singh Advocate for the Petitioners

Versus

U.O.I. & anr. Respondent

Mr. P.M. Pradhan Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S. Deshpande, V.C.

The Hon'ble Shri --

1. To be referred to the Reporter or not ? *no*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *no*

M.S. Deshpande
(M.S. DESHPANDE)
V.C.

M

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.999/93

K.Karunakaran .. Applicant

-versus-

Union of India & anr. .. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande
Vice-Chairman

Appearances:

1. Mr.Y.R.Singh
Counsel for the
Applicant
2. Mr.P.M.Pradhan
Counsel for the
Respondents

ORAL JUDGMENT: Date: 27-7-94
(Per M.S.Deshpande, V.C.)

By this application the applicant challenges order dated 31-5-93 rejecting the applicant's request for stepping up of pay so as to bring it on par with Shri V.M.Bade who was his junior and for correction of date of next/increment to that of Shri V.M.Bade.

2. The only reason given by the respondents justifying the grant of higher pay to Mr.V.M.Bade was that he was granted adhoc promotion and so his pay became more than that of the applicant. The applicant belonged to Kerala ~~and~~ circle and came to be posted at Maharashtra Circle on promotion whereas Mr.V.M.Bade continued to remain in Maharashtra Circle throughout. According to the learned counsel for the respondents short term promotions had to be given to Mr.V.M.Bade on the basis of the unit to which

he belonged and since the benefit was not given to the present applicant the applicant could not be given more emoluments.

3. There is no dispute about the position that the seniority of the category to which applicant and Shri V.M.Bade belonged is fixed on All India basis. After examining the relevant circulars the respondents contentions in this respect were repelled in O.A. 926/93, K.Ramachandran & Ors. vs. Deptt. of Telecom, on 19-7-94 and stepping up was granted to ~~the~~ applicants in that case. The same view shall have to be taken in the present case.

4. In result the order dated 31-5-93 is quashed and the respondents are directed to step up the pay of the applicant so as to bring it on par with that of Shri V.M.Bade. The applicant will be entitled to arrears of pay for a period of only one year before the filing of the application i.e. 15-9-92 and thereafter on the basis of that fixation. Arrears shall be paid to the applicant within two months from the date of communication of this order to the respondents.

5. O.A. disposed of accordingly.


(M.S.DESHPANDE)
Vice-Chairman

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