

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 538/94

~~Transferee Application No:~~

DATE OF DECISION: 10.10.94

Shri K. Maniyan Petitioner

Shri S. Natarajan Advocate for the Petitioner

Versus

Union of India and others Respondent


Shri A.I. Bhatkar for Advocate for the Respondent(s)
Shri M.I. Sethna,

CORAM :

The Hon'ble Shri Justice M.S. Deshpande, Vice Chairman

The Hon'ble Shri M.R. Kolhatkar, Member (A)

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)
Vice Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

(4)

Original Application No.538/94

K. Maniyan

... Applicant

V/s.

Union of India through
The Secretary
Ministry of Surface Transport
Department of Light Houses &
Light Ships
Government of India
Transport Bhavan,
New Delhi.

Director General of Light Houses
& Light Ships
Ministry of Surface Transport
East Block, Level IV
R.K. Puram, New Delhi.

The Director
Department of Light Houses and
Light Ships, Deep Bhavan
M.G. Road, Bombay.

... Respondents.

CORAM: Hon'ble Shri Justice M.S. Deshpande, Vice Chairman.

Hon'ble Shri M.R.Kolhatkar, Member (A)

Appearance:

Shri S.Natarajan, counsel
for the applicant.

Shri A.I. Bhatkar for Shri
M.I. Sethna, counsel for
the respondents.

ORAL JUDGEMENT

Dated: 10.10.94

¶ Per Shri Justice M.S. Deshpande, Vice Chairman¶

The only claim that has been pressed in this application is claim for back wages as a sequel to the earlier judgement in O.A. 253/87 decided on 15.7.91. The direction was to promote the applicant to the post of Assistant Engineer from the date Shri Vardachari was promoted. The prayer for backwages was made and that prayer was not granted. The same should therefore be deemed to have been dismissed. By the office order dated 4.10.93 (Exhibit A -5) the applicant was granted notional promotion as

Assistant Engineer (Civil) with effect from 25.2.87. But since the actual promotion was from 1.9.92 the increment was to be paid from that date. The judgement came to be delivered on 15.7.91. Apparently there is no reason why the applicant should not have been granted increment and arrears from 15.7.91. We, therefore, direct the respondents to pay increments and arrears to the applicant from 15.7.91 and the difference of salary and arrears from 15.7.91 to 1.9.92. The applicant will be entitled to all benefits on the basis that the increments became due from 15.7.91. We, therefore, direct the respondents to comply with these directions within three months from the date of receipt of this order.

O.A. is disposed of with these directions.



(M.R. Kolhatkar)
Member (A)



(M.S. Deshpande)
Vice Chairman

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