

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

(9)

Original Application No: 3/95

Date of Decision: 24.6.98

Shri B.D. Rajpur.

Applicant.

Advocate for
Applicant.

Versus

Union of India and others

Respondent(s)

Shri V.S. Masurkar

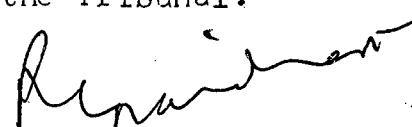
Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman

Hon'ble Shri. D.S. Bawej, Member (A)

- (1) To be referred to the Reporter or not? Yes
- (2) Whether it needs to be circulated to other Benches of the Tribunal?


(R.G. Vaidyanatha)
Vice Chairman.

NS

(10)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING NO:6
PRESCOT ROAD, MUMBAI:1

Original Application No. 3/95

Wednesday the 24th day of June 1998

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri D.S.Baweja, Member (A)

B.D. Rajpur,
residing at A-4/1,
Post & Telegraph Colony
Nehru Road, Vokola,
Santacruz(East),Bombay.

... Applicant.

V/s.

Union of India through
the Secretary in the
Department of Telecommunication,
New Delhi.

The Chairman,
Telecom Commission
Department of Telecommunication
New Delhi.

The Chief General Manager,
MTNL, Western Region,
Telephone House, 13th floor,
West Wing, V.S.Marg,
Prabhadevi, Bombay.

... Respondents.

By Advocate Shri V.S. Masurkar.

ORDER (ORAL)

(Per Shri Justice R.G. Vaidyanatha, Vice Chairman)

When this application is taken up for hearing,
applicant and counsel are absent. We have heard the
learned counsel for the respondents.

In this application the applicant is claiming
stepping up of pay on the ground that his juniors are
getting more pay. The learned counsel for the
respondents brings to our notice that the question is
no-longer res-integra and is directly covered by the
recent decision of the Supreme Court reported in
1997 SCC(L&S)1852.

....2...

(11)

: 2 :

In our view, in view of the Apex Court decision the applicant cannot claim for stepping up of pay with his juniors who ^{have} has given officiating or adhoc promotion. In view of the law ^{declared by} of the Supreme Court, we hold that the present application is not maintainable and liable to be dismissed. Accordingly the O.A. is dismissed. No costs.

D. Bawej
(D.S. Bawej)
Member (A)

R. Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman

NS