

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 1368 of 1995

Date of Decision: 23.06.2000

Onkar K. Bagul.

Applicant.

By Shri B. Rangnathan

Advocate for  
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Shri R.K. Shetty.

Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. L. Hmingliana, Member (A)

Hon'ble Shri. Rafiquddin, Member (J)

- (1) To be referred to the Reporter or not? Yes
- (2) Whether it needs to be circulated to other Benches of the Tribunal? No

*[Handwritten Signature]*  
23/6/2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI.

REGISTRATION No. OA 1368 of 1995

DATE OF ORDER: 23.06.2000

Onkar K. Bagul, residing at quarter No. H-58, Gandhinagar, Nashik 422006, presently working as Assistant Binder in the Govt. of India Press, Nashik - 422 006.

..... APPLICANT.

By Advocate Shri B. Rangnathan

Versus

1. Union of India through the Directorate of Printing, 'B' Wing, Nirman Bhavan, 2, Maulana Azad Road, New Delhi - 110 011.

2. The General Manager, Govt. of India Press, Gandhinagar, Nashik - 422006.

..... RESPONDENTS.

By Advocate Shri R.K. Shetty.

C O R A M

Hon'ble Mr. L. Hmingliana, Member (A)

Hon'ble Mr. Rafiquddin, Member (J)

O R D E R

L. Hmingliana, Member (A):-


We heard this OA filed by an Assistant Binder in the Government of India Press, Nashik, with OAs 702/95 and 1367/95 filed by the two Assistant Binders, but we are passing separate orders in each case.

2. The applicant initially got employment in the Press as labourer, and he was promoted as Attendant (Offset) on ad hoc basis with effect from 11.2.1989.

Then after he passed the trade test for promotion as Assistant Binder, he was promoted to the post on regular basis with effect from 30.8.1994 vide order No. 281 dated 14.9.1994. His pay was Rs. 1030/- in the post of Attendant when he was promoted as Assistant Binder, but his pay was fixed at Rs. 950/-. He points out the fixation of pay of Shri A.B. Shezwal, who was promoted along with the applicant as Attendant and whose promotion was regularised as Assistant Binder with effect from 13.4.1994 by order dated 6.5.1994.


3. It is stated in the written statement filed on behalf of the respondents that the applicant was reverted to his substantive post of labourer on 5.7.1993, but he was once again promoted on ad hoc basis on the same day on account of requirements by the respondents, and that he worked in the post till 30.6.1994, and he was once again promoted on 4.7.1994, and he was given promotion as Assistant Binder on regular basis on 30.8.1994, after he passed the prescribed trade test. As regards the pay fixation of Shri Shejwal, it is stated that he was appointed against the direct recruitment quota, and his pay was fixed at Rs. 1030/- as per FR 22 1 (a) (i).

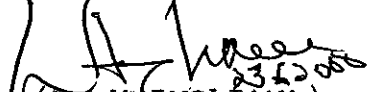
4. We are passing orders separately in OA 702/95 , in which we explained that the applicant in that matter who had been working on ad hoc promotion as



Assistant Mechanic for almost 10 years could not be granted relief for regularisation in the post, but he was entitled to fixation in the post of Assistant Binder at the stage at which his pay was fixed in the post of Assistant Mechanic. The applicant in the present matter is not entitled to any more relief than what we are granting to the applicant in OA 702/95. In short, he will also be entitled to fixation of his pay as Assistant Binder at the same stage as the pay he was drawing as Attendant at the time of his promotion on regular basis as Assistant Binder.

5. The application is partly allowed. The pay of the applicant in the post of Assistant Binder shall be fixed at the stage at which he was drawing the pay as Attendant at the time of his promotion on regular basis as Assistant Binder, and he shall also be paid arrears of the difference between <sup>the ~~his~~</sup> pay he will be entitled to and the pay he has been drawing. The respondents shall implement this order within six months from the date of communication of this order to them. There shall be no order as to costs.

  
(RAFIQUDDIN)  
MEMBER (J)

  
(L. HMINGLIANA)  
MEMBER (A)