

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH.

(8)

ORIGINAL APPLICATION NO.: 56 of 1995.

Dated this Friday, the 13th day of August, 1999.

B. M. Sawant & 14 Others, Applicants.

Shri A. I. Bhatkar, Advocate for the  
applicants.

VERSUS

Union of India & Others, Respondents.

Shri S. S. Karkera for Advocate for the  
Shri P. M. Pradhan, respondents.

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

Hon'ble Shri B. N. Bahadur, Member (A).

(i) To be referred to the Reporter or not ? *u*

(ii) Whether it needs to be circulated to other Benches *u* of the Tribunal ?

*R. G. Vaidyanatha*

(R. G. VAIDYANATHA)  
VICE-CHAIRMAN.

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1. B. M. Sawant.
2. U. Veeranagaiah.
3. A. N. Limaye.
4. K. Sudhakar.
5. H. Venkatesh.
6. D. D. Gujale.
7. S. T. Nayak.
8. K. Venkat Reddy.
9. Mohan G. Rayakar.
10. D. R. Kolhatkar.
11. N. J. Shakya.
12. R. K. Phalnikar.
13. R. S. Amritkar.
14. Kishori Prasad.
15. B. R. Katti.

... Applicants.

All working as Accounts Officer in  
State of Maharashtra.

(By Advocate Shri A. I. Bhatkar)

VERSUS

1. Union of India through  
The Secretary,  
Ministry of Communications,  
Department of Telecommunications,  
Sanchar Bhavan, New Delhi.

(P)

2. Chief General Manager,  
Maharashtra Telecom Circle,  
G.P.O. Building,  
Bombay - 400 001.
3. Chief General Manager  
Maintenance,  
Western Telecom Region,  
11th floor, Telephone House,  
V.S. Marg, Dadar (West),  
Bombay - 400 028. .... Respondents.

(By Advocate Shri V.S. Masurkar for  
Respondent No. 1.

By Advocate Shri S. S. Karkera for  
Shri P. M. Pradhan for Respondent Nos. 2 & 3).

OPEN COURT ORDER

PER : Shri R. G. Vaidyanatha, Vice-Chairman.

In this application the applicants are seeking stepping up of pay on the ground that juniors are getting more pay. The applicants are relying on number of decisions of this Tribunal where identical reliefs were given by granting stepping up of pay when juniors are getting more pay due to promotion.

It is now brought to our notice that the Supreme Court has since decided that stepping up of pay cannot be granted when the juniors are getting more pay due to adhoc or officiating promotion. The law has been declared by the Supreme Court in the case of Union of India & Another V/s. R. Swaminathan, etc. etc. reported in 1997 (2) SC (SLJ) 383. In view of the law declared by the Supreme Court, the O.A. does not survive.

By

2. In the result, the O.A. is dismissed with no order as to costs. M. P. No. 171/97 also stands disposed of.

B.N.Bahadur

(B. N. BAHADUR)

MEMBER (A).

R.G.Vaidyanatha

(R. G. VAIDYANATHA)

VICE-CHAIRMAN.

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