

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH: :MUMBAI

FULL BENCH

ORIGINAL APPLICATION NO.671/97

TUESDAY, THIS THE 23RD JULY, 2002

CORAM: HON'BLE SHRI JUSTICE ASHOK AGARWAL. CHAIRMAN
HON'BLE SHRI JUSTICE B. DIKSHIT. VICE CHAIRMAN
HON'BLE SMT. SHANTA SHASTRY. MEMBER (A)

Mrs. Surekha Vila Gole & 28 Ors. .. Applicants

By Advocate Shri S.P. Saxena

Versus

Union of India & another. .. Respondents

By Advocate Shri V.G. Rege.

O R D E R (ORAL)

Hon'ble Shri Justice Ashok Agarwal. Chairman.

By an order passed on 04th March, 2002,
following question has been referred for decision by a
Full Bench.

"Whether the Stenographer Grade-II employed in
the subordinate offices of Government of India
(i.e. outside the Central Secretariat) are
entitled to grant of pay scale of Rs.1640-2900
as admissible to Stenographers of C.S.S.S.
cadre employed in the Central Secretariat"

2. Aforesaid issue, we find is no longer res-integra as
the same has been answered by a Five Judges Bench in the
case of Shri M.V.R. Rao & Others Vs. Union of India &
Others (2002 ATJ page 6). Aforesaid Full Bench to which
one of us (Justice Ashok Agarwal) was a party, the
following issue for consideration, which is the same

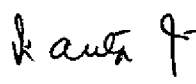


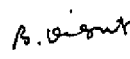
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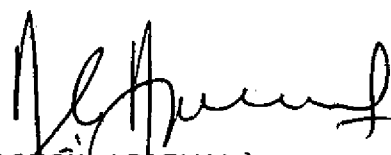
issue which has been placed before us viz. "Whether Stenographers and Assistants of subordinate and attached offices of Government of India are entitled to the pay scale of Rs.1640-2900 applicable to Stenographers and Assistants working in Central Secretariat Service" was considered. In para 41 of the judgment, aforesaid issue has been answered in the negative. Aforesaid five judges judgment, it cannot be disputed, is binding upon us.

3. In the circumstances, submission made by Shri S.P. Saxena to persuade us to take a view contrary to the one taken in the aforesaid judgment can be of no avail. Following that decision, we answer the present issue in negative.

4. Having answered the aforesaid issue, we find that nothing now survives in the present OA as the present OA seeks aforesaid pay scale of Rs.1640-2900 which we have found is not payable to the applicants. The present OA, in the circumstances, we find is devoid of merit and the same is accordingly dismissed. No order as to costs.


(SMT. SHANTA SHASTRY)
MEMBER (A)


(B. DIKSHIT)
VICE CHAIRMAN


(ASHOK AGARWAL)
CHAIRMAN

Gajan