

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 951/97

Date of Decision: 12.12.97

Shri Mahadev N. Venesa Applicant.

Applicant in person. 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. P.P. Srivastava, Member (A)

(1) To be referred to the Reporter or not? w

(2) Whether it needs to be circulated to other Benches of the Tribunal? w

  
(R.G. Vaidyanatha)  
Vice Chairman

NS

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

Original Application No. 951/97

Friday, the 12th day of December 1997.

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

Hon'ble Shri P.P. Srivastava, Member (A)

Mahadev N. Vanesa  
Head Master,  
Govt. High School  
Nani Daman

... Applicant.

Applicant in person.

V/s.

The Union of India through  
HVE. the Administrator,  
Admn. Daman & Diu.  
Secretariat, Daman.

The Finance Secretary  
Admn. Daman & Diu.  
Secretariat, Daman.

The Development Commissioner,  
Admn. Daman & Diu.  
Secretariat, Daman

The Secretary (Education)  
Admn. Daman & Diu  
Secretariat, Daman.

The Collector  
Admn. Daman & Diu,  
Collectorate, Daman.

The Collector,  
Admn. Daman & Diu  
Collectorate, Diu.

The Director,  
Directorate of Accounts,  
Admn. Daman & Diu,  
Daman.

The Joint Director of Education  
District Panchayat,  
Daman.

The Assistant. Director of Education,  
Daman.

... Respondents.

By Advocate Shri V.S. Masurkar.

...2...



ORDER (ORAL)

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

The applicant is seeking stepping up of his pay on the ground that his junior is getting more pay. The learned counsel for the respondents points out that the juniors are getting more pay because they have joined the service six months earlier than the applicant and they have earned one increment six months prior to the applicant.

2. The applicant conceded that his juniors <sup>were</sup> ~~are~~ appointed earlier and this is admitted by the applicant even in the representation dated 4.9.96 which is at page 48 of the paper book. The three juniors joined the service on ad-hoc basis in the year January 1977 and the applicant joined the service on ad-hoc basis on 19.7.1977. At the time of confirmation applicant was placed at serial No.1 in 1978 and other three were placed below him. The applicant states that as he has been placed at serial No.1 at the time of confirmation, he wants that he should get equal pay with his juniors.

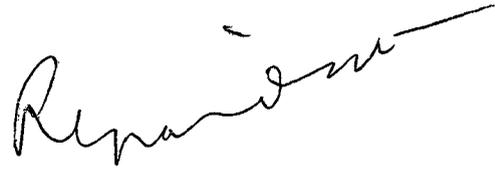
3. The department has replied the applicant's representation as per letter dated 24.6.97 stating that there is no anomaly in the pay of the applicant and three juniors are getting more pay because they joined the service six months earlier and have earned one increment six months earlier than the applicant and they have completed 12 years of service earlier than the applicant and therefore they have given <sup>been</sup> senior scale of pay as per Rules.

The applicant has not been able to point out any provision of Rule or law under which he is entitled to higher pay. The stand of the department as per the letter dated 24.6.97 is fully justified and does not call for interference. We do not find any merit in the O.A.

4. In the result the O.A. is rejected at the admission stage. No costs.



(P.P. Srivastava)  
Member (A)



(R.G. Vaidyanatha)  
Vice Chairman.

NS