

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No 199/89

198

T.A. No.DATE OF DECISION 5.6.1992Shri Mohd. Ghouse PetitionerMr. J.V. Lakshamana Rao Advocate for the Petitioner(s)

Versus
The Union of India rep. by the Director
General, Telecommunications,
New Delhi and another. Respondent

Mr. N.E. Devraj Advocate for the Respondent(s)

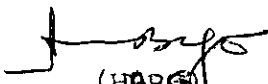
CORAM :

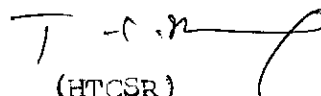
The Hon'ble Mr. A.B. GORTHI, MEMBER (ADMN.)

The Hon'ble Mr. T. CHANDRASEKHARA REDDY, MEMBER (JUD L.)

1. Whether Reporters of local papers may be allowed to see the Judgement? ☒
2. To be referred to the Reporter or not? ☒
3. Whether their Lordships wish to see the fair copy of the Judgement? ☒
4. Whether it needs to be circulated to other Benches of the Tribunal? ☒

MGIPRRND-12 CAT/86-3-12-86-15,000


(HABG)
M(A)


(HTCSR)
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.199/89

Date of Order: 5.6.1992

BETWEEN:

Shri Mohd. Gouse

.. Applicant.

A N D

1. The Union of India
rep. by the Director General,
Telecommunications, New Delhi.

2. The General Manager,
Hyderabad Telecom District
Suryalok Complex
Hyderabad.

.. Respondents.

Counsel for the Applicant

.. Mr.J.V.Lakshmana Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI A.B.GORTHY, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by

Hon'ble Shri A.B.Gorthi, Member (Admn.)

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The prayer of the applicant is for a direction to respondent No.2 to refix the applicant's pay in the new scale recommended by the IV pay commission and accordingly to revise his monthly pension from his date of retirement from 4.3.1986 with all consequential benefits.

2. The applicant joined the Telecom Department and was serving as Junior Telecom Officer in the pre-revised scale of Rs.425-640, and was drawing monthly amoulements of Rs.600. He was permitted to retire voluntarily from the service w.e.f. 4.3.1986. After his retirement his pension was fixed at Rs.440 per month. The applicant's contention is that his pension was incorrectly fixed at Rs.440 per month and that it should have been fixed in accordance with the revised scale of pay as recommended by the IV pay commission w.e.f. 1.1.1986. He represented to the authorities concerned, but without any success.

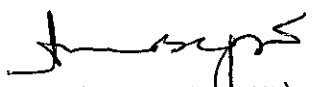
3. The respondents, in their brief counter, have brought out that the applicant was absent from duty from 15.3.1983 to 3.3.1986 and that the entire period of his absence was treated as 'DIES NON'. Consequently he received no pay for the said period. Accordingly for the purpose of fixation of his pension, the pay and allowance drawn by him for a period of 10 months prior to 15.3.1983 were taken as the basis. His pension was therefore correctly fixed.

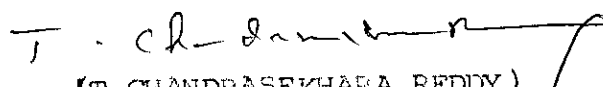
4. The facts stated and the questions of law raised in this case are similar to those in OA.197/89 which too has been decided by us today. For the reasons stated in the ~~said~~ Judgement, by which we dismissed OA.197/89,

(23)

..3..

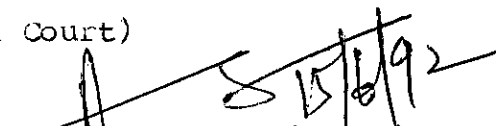
this application ^{also L} ~~is~~ deserves to be ~~deserves to be~~ dismissed. ^L
We order accordingly. There shall be no order as to costs. ^L


(A.B. GORTHI)
Member (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 5th June, 1992

(Dictated in the Open Court)


Dy. Registrar (Judl.)

Copy to:-

1. Director General, Telecommunications, Union of India, New Delhi.
2. The General Manager, Hyderabad Telecom District Suryalok Complex, Hyderabad.
3. One copy to Sri. J.V. Lakshmana Rao, advocate, Flat No. B30 Balaji Towers, New Bakaram, Hyd-380.
4. One copy to Sri. N.R. Devaraj, Addl. CGSC, CAT, Hyd.
5. One copy to Hon'ble Mr. A.B. Gorthi, Administrative Member CAT, Allahabad Bench, Camp at Hyd-Bench.
6. One copy to Hon'ble Mr. T. Chandrasekhar Reddy, Judicial Member, CAT, Hyd.
7. One spare copy.

sd



peray
O.A. 199/89.
TYPED BY (7)

COMPARED BY

CHECKED BY *gyl*

APPROVED BY

THE HON'BLE MR. A.B. GORU, A.M.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN; M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY;
MEMBER (JUDL)

AND

THE HON'BLE MR. C.J. ROY : MEMBER (JUDL)

Dated: 5-6-1992.

ORDER / JUDGMENT

R.A./C.A./M.A.No.

in

O.A.No.

199/89.

T.A.No.

(W.P.No.)

Admitted and interim directions
issued

Disposed of with directions

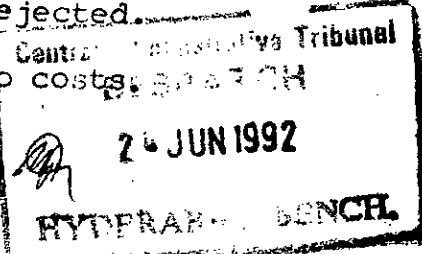
~~Dismissed~~

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.



pvm.