

Central Administrative Tribunal

HYDERABAD BENCH: AT HYDERABAD

O.A. No. 508/89 T.A.No.	Date of Decision:14-11-91
	Petitioner.
Versus	Advocate for the petitioner (s)
	Respondent. Advocate for the Respondent (s)
CORAM: THE HON'BLE MR.R.BALASUBRAMANIAN:	MEMBER (A)
THE HON'BLE MR.	
1. Whether Reporters of local papers may b	be allowed to see the Judgement?
2. To be referred to the Reporter or not?	A.
3. Whether their Lordships wish to see the	fair copy of the Judgment?
4. Whether it needs to be circulated to other	er Benches of the Tribunal?

5. Remarks of Vice Chairman on columns 1, 2, 4

(RBS) M(A)

(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH AT HYDERABAD

0.A.508/89.

Dt. of order: 14-11-91 .

Mylavarapu Narayana Rao

....Applicant

Vs.

- Union of India, represented by its Secretary, Ministry of Finance (Department of Revenue) North Block, New Delhi.
- The Collector of Central Excise, Kannavanithota, Guntur-522 004.

....Respondents.

Counsel for the Applicant : Ms. N.Shakti

Counsel for the Respondents : Shri Naram Bhaskar Rao, Addl.CGSC

CORAM:

THE HON'BLE SHRI R.BALASUBRAMANIAN : MEMBER (A)

(Order passed by Hon'ble Shri R.Balasubramanian, Member (A)).

The applicant who was promoted directly from the cadre of UDC to that of Dy.Office Superintendent (L.II) with effect from 20-8-1987 prior to the introduction of theintermediate cadre of Tax Assistant between UDC and Dy.Office Superintendent; and was placed at a lower point of pay in the scale of D.O.S. is the case of the applicant that the juniors to the applicant in the cadre of UDC, who were promoted later than the applicant to the cadre of DOS after being placed in the cadre of Tax Assistants were drawing more pay than the applicant. The applicant's representation his for stepping-up of/pay was turndown by the respondents vide order dt.7-10-88 (Annexure-2) stating that the persons with

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- 1. The Secretary, Union of India,
 Ministry of Finance, (Department of Revenue)
 North Block, New Delhi.
- 2. The Collector of Central Excise Kannavarithota, Guntur- 4.
- 3. One copy to Mrs. N. Shakti, Advocate, CAT. Hyd.
- 4. One copy to Mr.N.Bhaskar Rao, Addl. CGSC. CAT.Hyd.
- 5. One spare copy.

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whom he wants stepping-up of pay had been promoted to the cadre of D.O.S. from, different cadre s. Hence this petition.

At the time of hearing the learned counsel for the applicant drawn my attention to the order F.No.B.12014/15/89-AD-IIA dt.9-7-90 issued by the Ministry of Finance. This order squarely covers the case of the type before me. $^{
m I}$ n para-5 decision of the of the order dt.9-7-98, the President has been conveyed to the effect that as a one time measure, the pay of a senior UDC, promoted as Dy.Office Superintendent (Level II) before the creation of cadre of Tax Asstt. in the cadre may be stepped up equal to the pay of Junior UDC promoted as D.O.S. (Level II) after holding thepost of Tax Asstt. provided the senior DOS (Level II) has been drawing more pay than the junion in the cadre of UDCs. The applicant states that his prayer would be answered if this order is implemented being and also added that it is not implemented in his case because of the pendency of this case. In these circumstances I direct the Respondents to act on this letter dt.9-7-90. The pay fixation and all the consequential benefits including arrears due to difference in pay (since he had actually performed the duties) should be made to the applicant within a period of three months from the date of receipt of this order. Shri Naram Bhaskar Rao, learned standing counsel/for the Respondents. Accordingly the O.A. is disposed-of, with the above directions with no order as to costs.

(R.BALASUBRAMANIAN)

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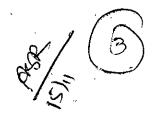
Member (A)
Dated: 14th November, 1991.

Dictated in Open Court

avl/

Depu

in Rosistrat



TYPED BY

- COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

THE HON BLE MR.

THE HON BLE MR.

THE HON'BLE MK.R.BALASUBRAMANIAN:M(A)

THE HON BLE MR.

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DATED: 14- 11 -1991

CPDER/ JUDGMENT:

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

Admitted and Interim direction Issued. T:

Allowd.

T.A.No.

Disposed of with directions

Dismissed.

Dismissed as withdrawn. Dismissed for Default. M.A.O. dered/Rejected

No order as to costs.

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