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Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 508/89

Date of Decision : 14-11-91

T.A.No.


_____	Petitioner.
_____	Advocate for the petitioner (s)
Versus	
_____	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 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 Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)


(RBS)
M(A)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A.508/89.

Dt. of order: 14-11-91 .

Mylavarapu Narayana Rao

....Applicant

Vs.

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

....Respondents.

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Counsel for the Applicant : Ms. N.Shakti

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

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CORAM:

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

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

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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 the intermediate 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 ~~It.~~ 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~~ ^{are} 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

To

1. The Secretary, Union of India,
Ministry of Finance, (Department of Revenue)
North Block, New Delhi.
2. The Collector of Central Excise
Kannavararithota, 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 ^adifferent cadres. Hence this petition.

2. At the time of hearing, the learned counsel for the applicant ^{drew}~~drew~~ my attention to the order F.No.8.12014/15/89-PD-IIA dt.9-7-90 issued by the Ministry of Finance. This order squarely covers the case of the type before me. In para-5 of the order dt.9-7-90, the ^{decision of 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 the post of Tax Asstt. provided the senior DOS (Level II) has been drawing more pay than the junior in the cadre of UDCs. The applicant states that his prayer would be answered if this order is implemented and also added that it is not ^{being} 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, ^{appeared} accordingly. The O.A. is disposed of ^{accordingly} with the above directions with no order as to costs.

R. Balasubramanian
(R. BALASUBRAMANIAN)
Member (A)

Dated: 14th November, 1991.
Dictated in Open Court

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A. S. J. / B. J.
Deputy Registrar (U)

ASST
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TYPED BY _____ COMPARED BY _____
CHECKED BY _____ APPROVED BY _____

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. _____ :V.C
AND
THE HON'BLE MR. _____ M(J)
AND
THE HON'BLE MR. R. BALASUBRAMANIAN :M(A)
AND
THE HON'BLE MR. _____ M(J)

DATED: 14-11-1991 ✓

ORDER/JUDGMENT:

M.A./R.A./C.A. No. _____
in

O.A.No. 508/89

T.A.No. _____ (W.P.No. _____)

Central Administrative Tribunal
DESPATCH
26 NOV 21
HYDERABAD BENCH

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

M.A.Ordered/Rejected

No order as to costs.

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15/11/91