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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A.NO. 823 of 1989

Date of Order: 14/12/1989

Miss.S.Sudha Rani and  
16 others

.. Applicants

Versus

Union of India, rep. by the  
Secretary to Government,  
Ministry, of Defence, New Delhi,  
and 4 others

.. Respondents

...

For Applicants: Mr.K.S.R.Anjaneyulu, Advocate

For Respondents. Mr.N.Bhaskar Rao, Addl.CGSC

C O R A M:

HON'BLE SHRI D.SURYA RAO: MEMBER (JUDICIAL)

HON'BLE SHRI R.BALA SUBRAMANIAN: MEMBER (ADMN.)

(Judgment delivered by Shri D.Surya Rao, Member (J) )

1. The applicants herein are working as Draughtsman Gr-II in the Military Engineering Service at Secunderabad. They seek a direction to grant them the scale of Rs.425-700 with effect from 1-11-1983 with all consequential benefits.
2. We have heard the learned Counsel for the applicants Shri K.S.R.Anjaneyulu and Shri N.Bhaskar Rao, Addl.Central Government Standing Counsel.
3. Similar cases were disposed of by the Calcutta Bench of the Central Admnv.Tribunal in O.A.8/87 and the Chandigarh Bench of the Tribunal in O.A.NO.1001/-PB/88 dated 22-6-1989, wherein identical persons were given the Scale of 425-700 as in the case of Gr.II

To:

1. The Secretary to Government, Ministry of Defence,  
New Delhi.
2. The Engineer-in-Chief, Army Head quarters, New Delhi.
3. The Chief Engineer, southern command, Pune.
4. The Chief Engineer(P)FY, Sec'bad.
5. The Chief Engineer(P)R and D sec'bad.
6. One copy to Mr.K.S.R.Anjaaneyulu, Advocate, 1-1-365/A,  
Jawaharnagar, Bakaram, Hyderabad-500 020.
7. One copy to Mr.N.Bhaskara Rao, Addl.CGSC, CAT, Hyderabad.
8. One spare copy.

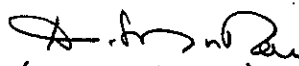
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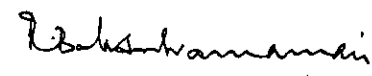
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11/11/87

(31)

Draughtsman, in the CPWD. The scale was given retrospective effect from 1-11-1983. The learned counsel for the respondents Shri Bhaskar Rao raises the question of limitation viz., that the application is barred under section 21 of the Administrative Tribunals Act, 1985. This matter has been dealt with by the Chandigarh Bench wherein it has been held that the applicants have a recurring cause of action, that is, they have a grievance at the end of every month when they are paid less than what they claim on the basis of parity. It has been further held that when similarly placed persons are entitled to the Higher Scales of 425-700 from 1-11-1983, denial of parity to a section of the Draughtsmen Gr.II working in the MES, would be infractive of Articles 14 and 16(1) of the Constitution. In these circumstances, the objection as to limitation is over-ruled. For the reasons given by the Calcutta Bench and Chandigarh Bench of the Tribunal with which we respectfully agree, the respondents are directed to grant the pay Scales of 425-700 with effect from 1-11-1983 with all consequential benefits. The direction of this Tribunal will be implemented within 3 months from the date of receipt of this order. The application is disposed of accordingly. In the circumstances, parties will bear their own costs.

  
(D.SURYA RAO)  
MEMBER (J)

  
(R.BALA SUBRAMANIAN)  
MEMBER (A)

Dt. 14th December, 1989.  
Dictated in Open Court.

SAH/  
VCR.

  
DEPUTY REGISTRAR (J)

411

(37)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

M.A.253/90 in O.A.823/89.

DATE OF ORDER:8-5-1990.

Between: The Secretary, Ministry of Defence, Government of India,  
N.Delhi.

2. Chief Engineer(P) R & D., Secunderabad-500003  
and three others

.....Applicants/Respondents

AND

1. Miss.S.Sudha Rani and others ...Respondents/Applicants/

FOR THE APPLICANTS: Mr.N.Bhaskara Rao, Addl.CGSC

FOR THE RESPONDENTS: Mr.K.S.R.Anjaneyulu, Advocate.

C O R A M :- THE HON'BLE MR.B.N.JAYASIMHA:VICE-CHAIRMAN  
AND  
THE HON'BLE MR.D.SURYARAO:MEMBER(JUDICIAL).

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It is ordered that the time for implementing the order of the  
Tribunal dated 14.12.1989 and made in O.A.823/89 be and heroby  
is extended from 15.4.90 to 14.7.90.

Sd/- X X X X  
(B.N.JAYASIMHA)  
VICE-CHAIRMAN.

Sd/-X X X X X

(D.SURYARAO)

MEMBER(JUDICIAL)

DEPUTY REGISTRAR  
15/7/90

To

1. The Secretary, Government of India, Ministry of Defence, N.Delhi.
2. The Chief Engineer (P) R&D., Secunderabad.
3. The Engineer in Chief, Army Headquarters, N.Delhi.
4. The Chief Engineer, Southern Command, Pune.
5. The Chief Engineer(P)FY, Secunderabad.
6. One copy to Mr.K.S.R.Anjaneyulu, Advocate, 1-1-365/A, Jawaharnagar, Bakaram, Hyderabad-500020.
7. One copy to Mr.N.Bhaskara Rao, Addl.CGSC, CAT, Hyderabad.
8. One spare copy.

PSR.

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CHECKED BY

TYPED BY: *Bz*

COMPARED BY :

IN THE CENTRAL ADMINISTRATIVE TRIBU-  
NAL:HYDERABAD BENCH:HYD.

HON'BLE MR.B.N.JAYASIMHA: V.C.

HON'BLE MR.D.SURYA RAO:MEMBER:(JUDL)

A N D

HON'BLE MR.J.NARASIMHA MURTHY(M)(J)

A N D

HON'BLE MR.R.BALASUBRAMANIAN:(M)(A)

DATED: 8-5 90

ORDER/JUDGMENT:

M.A./B.A./C.A./No. 253/90 in

T.A.No. W.P.No.

O.A.No. 823/89

Admitted and Interim directions  
issued.

Allowed.

Dismissed for default.

Dismissed.

Disposed of with direction.

M.A. ordered Central Administrative Tribunal

No order as to costs.

Sent to Xerox on:

HYDERABAD BENCH.