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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
BENCH AT : HYDERABAD

O.A.No.1031/90

Date of order:10.1.91

BETWEEN

K. Kutumba Rao,
Instructor, General Mechanic,
Training Centre for the Adult
Deaf, Malakpet, Hyderabad.

.. Applicant

Vs.

1. The Secretary to Govt.
of India, Ministry of Welfare,
Shastri Bhavan, New Delhi.

2. The Principal, Training
Centre, for the Adult Deaf,
Malakpet, Hyderabad.

.. Respondents

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APPEARANCE

For the Applicant : Shri P.V. Krishnaiah, Advocate

For the Respondents : Shri E. Madan Mohan Rao, Addl.
Standing Counsel for the Central
Govt.

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CORAM

THE HON'BLE SHRI B.N. JAYASIMHA, VICE CHAIRMAN

THE HON'BLE SHRI J. NARASIMHA MURTHY, MEMBER (J)

for

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The applicant herein is an Instructor, General Mechanic, Training Centre for the Adult Deaf, Malakpet, Hyderabad. He has filed this application stating that the respondents have not fixed the applicant's notional pay in compliance with the judgement dt.19.7.1989 in O.A. No.236/86 of this Tribunal and consequently not issued the qualifying certificate despite repeated representations made to the respondents.

2. The applicant states that he filed O.A.No.236/86 alongwith 13 others seeking a direction to fix the pay scale on par with their counter-parts working in similar institutions. The Tribunal in its order dt.12.2.88 and subsequently clarified on 19.7.89 directed the respondents to fix up the Applicant's pay on par with their counter-parts working in similar institutions w.e.f. 1.1.1973. He made several representations for implementing the same. He also got a legal notice issued and yet the respondents have not complied with the Tribunal's orders. He has therefore filed this application seeking a direction to the respondents to implement the orders in O.A.No.236/86 and also for issue of qualifying certificate to the applicant.

2. We have heard Shri P.V. Krishnaiah, learned counsel for the applicant and Shri E. Madan Mohan Rao, Addl. Standing Counsel for the Central Govt., - An objection has been raised by the Standing Counsel for

(Contd....)

(28)

respondents stating that the applicant ought to have filed a Contempt Application instead of filing a fresh application seeking the same relief. The learned counsel for the applicant states that as no timelimit was fixed in the orders of the Tribunal, the applicant made several representations for implementing the same and therefore he states that this application may be treated as a Miscellaneous Application with the prayer for fixing a timelimit for implementing the orders of the Tribunal. Accordingly, we treat this application as a Miscellaneous Application for fixing timelimit and direct the respondents to implement the same within a period of two months if not already implemented. The applications is disposed of with these directions. No order as to costs.

B.N. Jayasimha
(B.N. JAYASIMHA)
VICE CHAIRMAN

M.S.
(J. NARASIMHA MURTHY)
MEMBER (JUDICIAL)

Dictated in the open court
Dt. 10th Jan. 1991

[Signature]
Deputy Registrar (Judl)

To

1. The Secretary to Govt., of India,
Ministry of Welfare, Shastri Bhavan, New Delhi.
2. The Principal, Training Centre,
for the Adult Deaf, Malakpet, Hyderabad.
3. One copy to Mr. P.v. Krishnaiah, Advocate
4-3-410, Bank Street, Hyderabad.
4. One copy to Mr. E. Madanmohan Rao, Addl. CGSC, CAT. Hyd. Bench.
5. One copy to Hon'ble Mr. J. Narasimha Murthy, Member (J) CAT. Hyd.
6. One spare copy.

pvm

Mvs

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APPROVED BY

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE MR.D.SURYA RAO : M(J)

AND

THE HON'BLE MR.J.NARASIMHA MURTY:M(J)

AND

THE HON'BLE MR.R.~~PALASUBRAMANIAN~~:M(A)

Dated: 10- 1-1991.

ORDER / JUDGMENT:

M.A./R.A. /O.A. NO.

In

T.A.No.

W.P.No.

O.A.No.

1031/90

Admitted and Interim directions
issued.

Allowed

Disposed of with direction

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected.

No order as to costs.

