

(43)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. No. 140/91.

Dt. of Decision : 13.7.94.

1. P. Ramam
2. P. Appalaraju
3. P. Krishna Rao
4. P. Rajarao
5. B.S.N. Murthy
6. D.C.H. Reddy
7. A. Shankara Rao
8. R. Gopala Rao
9. A. Sanyasi Rao
10. G. Rajeshwara Rao
11. B. Chittabray
12. L. Sambasiva Rao
13. A. Muthyalu Rao
14. V.V. Ramanamurthy
15. K. Adinarayana
16. A. Apparao

.. Applicants.

VS

1. Union of India, rep. by
the Secretary, Ministry
of Defence, New Delhi.
2. Engineer-in-Chief,
Army Headquarters,
New Delhi.
3. Chief Engineer,
Southern Command, PUNE.
4. Chief Engineer, Dry Dock,
MES, Visakhapatnam.

.. Respondents.

Counsel for the Applicant : Mr. P.B. Vijayakumar

Counsel for the Respondents : Mr. N.V. Ramana, Addl.CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

CCG

O.A.No.140/91

O R D E R

(As per Hon'ble Sri A.V. Haridasan, Member (J))

The grievance of the applicants is that while implementing the decision of the Government, on acceptance of the recommendations of the Expert Classification Committee in regard to three grade structure of Skilled Artisans, the applicants have been totally ignored in the grant of higher grade and that those who have been in feeder category to them have not only been equated with them, but also given on a fitment a higher grade in the ratio 1:10. The applicants pray that a direction may be given to the respondents that similar benefits should be extended to them also. The application is resorted by the respondents and, in their return, they have raised inter alia the contentions that the claim is barred by limitation and for not exhausting the departmental remedies, the application is premature. It has also been contended that as the decision was taken on the basis of an indepth study by the Expert Classification Committee, it is not open for the applicants to urge before this Tribunal to give a direction against the findings given by the Committee and accepted by the Government.

2. However, while the application came up for final hearing the learned counsel for the respondents brought to our notice that no effective representation in regard to the grievance of the applicants has so far been made, though the entire matter was discussed in the JCM and he suggested it would be appropriate if the applicants are directed to make a comprehensive representation in respect of their grievance

(*metabolite* . . .)

(INTRODUCTION)

APPENDIX B
.001-47000-00000

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to the second respondent who would take appropriate decision within a reasonable time. This suggestion is acceptable to the counsel for the applicants. In the result, without going into rival contentions raised by the parties, we dispose of this application directing the applicants to make a comprehensive representation projecting all their grievances within a period of three weeks from today to the second respondent and directing the second respondent to consider the grievance put forth in such representation and to pass a speaking order on it within a period of three months from the date of receipt of the representation. There is no order as to costs.

Jasap
(A.B. Gorathi)

Member (A)

Alenus
(A.V. Haridasan)

Member (J)

Dated 13th July, 1994
Open Court dictation.

Amulya
26-7-94
DEPUTY REGISTRAR (J)

kmv
COPY TO:

1. The Secretary, Union of India,
Ministry of Defence, New Delhi.
2. Engineer in Chief, Army Head Quarters,
New Delhi.
3. Chief Engineer, Southern Command, Pune.
4. Chief Engineer, Dry Dock, MES, Visakhapatnam.
5. One copy to Mr.P.B.Vijay Kumar, Advocate, CAT, Hyderabad.
6. One copy to Mr.N.V.Ramana, Addl.CGSC,CAT,Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One spare copy.

YLKR

Typed by

Compared by

Checked by

Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN: MEMBER(J)

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

Dated: 13-7-94

ORDER/JUDGMENT.

M.A./R.P./C.P.NO.

in
O.A.NO. 140/91

T.A.NO. (W.P.NO.)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with directions. ✓

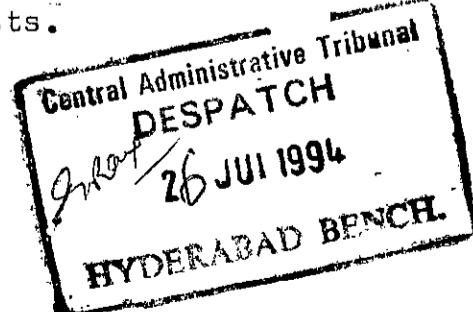
Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.



26/7/94