

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.881/93

Date of order: 2.8.993

BETWEEN:

S.Rama Rao

.. Applicant

A N D

Regional Director,
Employees' State
Insurance Corporation,
Hyderabad.

.. Respondent.

Counsel for the Applicant

.. Mr.B.S.Rahi

Counsel for the Respondent

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER(JUDL.)

This is an application filed under Section 19 of the Administrative Tribunal to direct the respondents to step and refix the pay of the applicant as UDC equal to the pay of his junior Sri K.M.G. Ali Hyder and to payarrears of pay and allowances and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

The facts giving rise to this O.A. in brief are as follows:-

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2. The applicant joined the service of ESIC as Lower Division Clerk on 7.3.1980 in A.P.Region on basic pay of Rs.260/- P.M. One Ali Hyder joined service in the same organisation (ESIC) as L.D.C. on regular basis on 1.10.1980 on the same basic pay of Rs.260/- Per Month. The applicant was promoted as U.D.C. on regular basis on 9.6.1989. Where as the said Ali ^{also} Hyder was promoted as U.D.C. w.e.f. 9.6.1989. As per the gradation list of AB region as on 31.12.1991 the applicant is shown at Serial Number 109 whereas the said Ali Hyder is shown at Serial Number 120. According to the applicant the pay of Ali Hyder had been fixed at a higher rate than that of the applicant on the ground that Ali Hyder had been officiating as U.D.C. earlier than the applicant on adhoc basis. So, in view of this anomaly and as the applicant is drawing a lesser pay than that of his junior Ali Hyder, the present OA is filed for the relief as already indicated above.

3. Today we have heard Mr.B.S.Rahi, Advocate for the applicant and Mr.N.R.Devraj, Standing Counsel for the respondent.

4. O.A.574/92 and other OAs had been filed by other employees working in ESIC. The said OA.574/92 by a judgement dated 7.12.1992 had been disposed of by giving appropriate directions to the respondent. As the present OA is identical in all respects to the O.A.574/92, the applicant herein is also entitled to the benefit of judgement in O.A.574/92 dated 7.12.1992. Hence this O.A. is also disposed of by giving the same directions as given in O.A.574/92.

5. In the result, the respondent was directed to step up notionally the pay of the applicant on par with his junior Ali Hyder in the post of U.D.C. w.e.f. 9.6.1989 and grant all notional benefits in the post of U.D.C. and the other post/posts to which the applicant was promoted. Further, we direct the respondent to grant actual monetary benefits to the applicant w.e.f. 21.7.1990 which is one year prior to the filing of this O.A. O.A. is allowed accordingly. The other reliefs with regard to payment of interest etc., are refused.

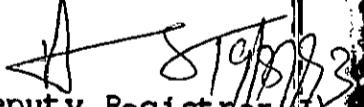
The parties shall bear their ~~own~~ ^{own} costs.

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(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 2nd August, 1993

(Dictated in Open Court)


Deputy Registrar

To

1. The Regional Director, Employees' State Insurance Corporation, Hyd.
sd Hill Fort Road, A Dargha Nager.
2. One copy to Mr.B.S.Rahi, Advocate, 33, Roof Rock-III
Road No.12, Banjara Hills, Hyderabad.
3. One copy to Mr.N.R.Devraj, Br.CGSC.CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.A. S.GORTHY : MEMBER(A)

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.P.T.MIRUVENGADAM:M(A)

Dated: 2 - 8 - 1993

ORDER/JUDGMENT:

M.A/R.A/C.A.N.

O.A.No.

in
881/93

T.A.No.

(W.P.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

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