

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No. 880/93

Date of Order: 2.8.1993

BETWEEN :

Smt. M. Samanthaka Mani

-- Applicant.

A NND

Regional Director,  
Employees' State Insurance.

-- Respondent.

Counsel for the Applicant .. Mr. B. S. Rahi

-- --- the Respondent .. Mr. N. R. Devraj

CORAM:

----- REDDY : MEMBER (JUDL.)

Order of the Single Member Bench delivered by  
Hon'ble Shri T. Chandrasekhara Reddy, Member (JUDL.)

This is an application filed under Section 19  
of the Administrative Tribunals Act to direct the  
respondent to step up and refix the pay of the applicant  
as UDC equal to the pay of his junior Shri P. K. R. Murthy  
and to pay arrears 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 6.11.1975 in A.P. Region on basic pay of Rs.260/- PM. One P.K.R.Murthy joined service in the same organisation (ESIC) as L.D.C. on regular basis on 28.4.1976 on the same basic pay of Rs.260/- PM. The applicant was promoted as U.D.C. on regular basis on 18.7.1981. Whereas the said P.K.R. Murthy was promoted as U.D.C. w.e.f. 18.7.1981. As per the gradation list of A.P. Region as on 31.12.91, the applicant is shown at Serial Number 39 whereas the said P.K.R.Murthy is shown at Serial Number 40. According to the applicant the pay of P.K.R.Murthy had been fixed at a higher rate than that of the applicant on the ground that P.K.R.Murthy 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 P.K.R. already indicated above.

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

4. O.A.574/92 and other OAs had been filed by other employees working in ESIC. The said O.O.A. 574/92 by a judgement dated 7.12.1992 had been disposed of. 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 7.12.92. Hence this OA is also disposed of by giving the same directions as given in O.A.574/92.

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5. In the result, the respondents are directed to step up the pay of the applicant on par with his junior P.K.R.Murthy in the post of U.D.C. w.e.f. 18.7.1981 and grant all notional <sup>l</sup><sub>l</sub> <sup>l</sup> benefits in the post of U.D.C. and the other post/posts to which the applicant was promoted. Further, we direct the respondents to grant actual monetary benefits to the applicant w.e.f. 20.7.1992 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 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, Hyderabad.

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2. One copy to Mr. B. S. Rahi, Advocate, CAT. Hyd.

3. One copy to ~~Mr. B. S. Rahi, Advocate, CAT. Hyd.~~

4. One copy to Library, CAT. Hyd.

5. One spare copy.

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P.S. 9/8/93

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APPROVED BY

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. B.GORTHY : MEMBER(A)

AND

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

AND

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

Dated: 2 - 8 - 1993

ORDER/JUDGMENT:

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

in

O.A.No. 880/93

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

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

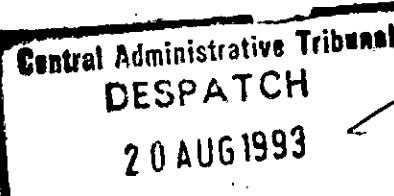
Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

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