

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.117 of 1993

DATE OF JUDGMENT: 6th August, 1993

BETWEEN:

1. Mr. R. Swaminathan
2. Mr. V. Ranganatha Rao
3. Mr. S. Krishna Swamy
4. Mr. P. S. Ranga Rao,
5. Mr. N. Lakshmanan
6. Mr. S. Desikachari
7. Mr. G. Chandrasekharan
8. Mr. TS Srinivasan
9. Mr. L. Krishnan ..

Applicants

AND

1. The Director General of Audit, P&T, Delhi-110054.
2. The Controller and Auditor General of India, New Delhi.
3. Union of India, represented by its Secretary to the Government of India, Ministry of Finance, Department of Expenditure, New Delhi. ..

Respondent

APPEARANCE:

COUNSEL FOR THE APPLICANTS: Mr. K. Venkateswara Rao, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. N. R. Devaraj, Sr. CGSC  
Mr. G. Parameswara Rao, SC for

CORAM:

Hon'ble Shri Justice V. Neeladri Rao, Vice Chairman

Hon'ble Shri P. T. Thiruvengadam, Member (Admn.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE  
SHRI JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

All the 9 applicants herein retired as Audit Officer. This OA was filed praying for a direction that they are entitled for promotional grade in the pay scale of Rs. 2200-4000 with

contd....

To

1. The Director General of Audit, P&T  
Delhi-54.
2. The Controller and Auditor General of India,  
New Delhi.
3. The Secretary to Govt.of India, Union of India,  
Ministry of Finance, Dept.of Expenditure, New Delhi.
4. One copy to Mr.K.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to Mr.G.Parameswar Rao, SC for IA & AD.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm.

effect from 1.4.1987 with notional pay fixation in the said scale from that date in terms of O.M.No.F.6(82)-IC/91, dated 22.9.92 issued by the Government of India, Ministry of Finance, Department of Expenditure and for pensionary benefits from 1.4.1992.

2. These applicants retired as Audit Officers prior to 1.4.1992. When it was stated for the respondents that the memo dated 22.9.1992 is applicable only in regard to those who retired on or after 1.4.1992, this application was filed praying for the relief referred to.

3. The O.M.No.6(82)-IC/91, dated 21.6.1993 is produced for the respondents to the effect that the benefit as per the OM dated 22.9.1992 was extended even for those who retired between 1.4.1987 and 31.3.1992. Accordingly, this OA has become infructuous.

4. But it is submitted for the applicants that the applicants may be permitted to move this Tribunal if the consequential benefits in regard to the pension, encashment of leave, commutation of pension and gratuity on the basis of the OM dated 21.6.1993 are not going to be allowed. Dismissal of this OA does not bar them to move this Tribunal in regard to the above if such contingencies arise.

5. The OA is accordingly dismissed as infructuous.  
No costs.

(Dictated in the open Court).

P.J.S  
(P.T.THIRUVENGADAM)  
Member(Admn.)

X  
(V.NEELADRI RAO)  
Vice Chairman

Dated: 6th August, 1993.

819/8/93  
Deputy Registrar

vsn

20/8/93

TYPED BY

COMPARED BY

CHECKED BY

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.MIRUVENGADAM:M(A)

Dated: 6 - 8 - 1993

ORDER/JUDGMENT:

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

in  
O.A.No. 117 193  
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

