

ANNEXURE - I

List of Papers in Original Application No.

120/93

Sl. No. Of Papers.	Date of Papers or Date Of Filing.	Description Of Papers.
	18.2.93	<u>Part - I</u> Original Judgement
		O.A. @Material Papers.
		Counter.
		Reply Counter.

PART - I, PART -- II, PART --- III

Destroyed.

5/7/99

Central Administrative Tribunal

HYDERABAD BENCH

O.A. No./T.A. No.

120

1993

Versus

Applicant (s)

Respondent (s)

Date	Office Note	Orders
6/10/93		<p>Mr. Brij Mohan Singh, Jr. the applicant in the OA who has filed the letter "for being mentioned" withdraws the said letter after submitting that he intends to file M.A. in the OA for necessary directions. In view of the position the letter filed by the learned counsel for the applicant is rejected as withdrawn.</p> <p style="text-align: right;">T. C. M.J. 4/10/93 91(1)</p>
7-10-93		<p>Heard Shri N.V. Ramana, Addl. CGS. In this M.A. the prayer is for extension of time up to 11-12-1993 for implementation of the judgment in OA 119/93. None for the applicant in O.A. The time asked for is granted but the Respondents will note that no further extension of time will be given. M.A. is disposed of.</p> <p style="text-align: right;">T. C. M.J. (HTCR) 4/10/93 91(1)</p> <p style="text-align: right;">(HABG) M(A)</p>

(P.T.O.)

Central Administrative Tribunal

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HYDERABAD BENCH

O.A. No./~~120~~..... 120/1993.

N. K. Bhandari..... Applicant(s)

Versus

Secretary, Ministry of Water Resources, New Delhi & anoth. Respondent(s)

Date	Office Note	Orders
<u>15/2/93</u>		<p>Mr. R. Brijbhan Singh, for the applicant and Mr. V. Rajendra Rao for Mr. M. Ramana, for the respondent are present. Heard both sides. List the OA for orders on 18.2.93.</p> <p>NA. 118123 is filed to correct the delay of 55 days in fixing this OA. List the same on same day (18.2.93) for orders.</p>
<u>18/2/93</u>		<p>T. C. R. H.</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD

O.A. No. 120/93
T.A. No.

Dt. of Decision 18. 2. 93.

Mr N. K. Bhandari Petitioner

Mr Brij Mohan Singh Advocate for
the petitioner
(s)

Versus

Chairman Central Water Commission Respondent.

Mr N. V. Ramana Advocate for
the Respondent
(s)

CORAM

THE HON'BLE MR. T. CHANDRASEKHARA REDDY, MEMBER, (J)

THE HON'BLE MR.

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?
5. Remarks of Vice-Chairman on Columns 1, 2, 4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench.)

No

ns

T. C. R.
HTCR

M(J).

(26)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

C.A. No.120/93

Date of Decision:18.2.1993

Between

N.K.Bhandari

.. Applicant

and

1. Secretary to the Govt. of India,
Ministry of Water Resources
New Delhi-66.

2. The Chairman,
Central Water Commission
Seva Bhavan,RK Puram,New Delhi-1. .. Respondents

Counsel for the Applicant :: Mr R.Briz Mohan Singh

Counsel for the Respondents :: Mr NV Ramana, ~~Addl Case~~

CORAM:

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


ORDER

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to refix the pay of the applicant taking into consideration the adhoc services of the applicant as Deputy Director/Executive Engineer, Central Water Commission, Government of India, by granting the increments due for fixing his pay on regular promotion as Deputy Director/Executive Engineer.

2. The facts so far necessary to adjudicate this OA in brief are as follows:

T. C. S.

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P.J.

..2..

3. The applicant was promoted to the post of Deputy Director, in the pre-revised scale of Rs.1100-50-1600 by proceedings of the Government of India, Central Water Commission dated 18.1.84. He joined duty on 30.1.84. It is the grievance of the applicant that the applicant was entitled for 2 increments while working on adhoc basis in the post of Deputy Director, Central Water Commission and whereas, the applicant had been granted only one increment on regular promotion to the said post. The applicant was appointed on regular basis in the said post of Deputy Director, Central Water Commission, w.e.f. 29.5.85. At the time, the applicant was promoted on regular basis as Deputy Director Central Water Commission, according to the applicant, the sole increment which was granted to him ^{also} had not been taken into consideration. It is the grievance of the applicant that the 2 increments for which he was entitled in the post of Deputy Director, Central Water Commission, while working on adhoc basis, are to be counted for the purpose of fixing his pay when he was appointed on the regular basis in the said post of Deputy Director. The applicant in this regard, had put in a representation on 27.11.91 to the competent authority for redressal of his grievance. Final orders had been passed by the respondents on 20.12.1991 rejecting the claim of the applicant to grant the increments for the period the applicant had worked on adhoc basis in the post of Deputy Director, Central Water Commission. So, the applicant has approached this ^{Qu. Com.} Tribunal for the relief as already indicated above.

4. This OA is filed on 8.2.93. As already pointed out, the representation of the applicant dated 27.11.91 for redressal of his grievance had been rejected on 20.12.1991. As there is 34 days delay in filing this OA, Mr Briz Mohan, Singh

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Counsel for the applicant, has moved MA 118/93 to condone the delay of the said 34 days. After hearing both sides, we are satisfied that sufficient cause had been made out by the applicant for the delay of 34 days in filing this OA. Hence, we condone the delay of 34 days in filing this OA and MA 118/93 is allowed accordingly.

5. During the course of the admission hearing of this OA, it was brought to our notice that OA No.809/89 had been filed before the Central Administrative Tribunal, Principal Bench by a person similarly placed to this applicant herein. The said OA 809/89 on the file of CAT Principal Bench, New Delhi had been allowed with certain directions. So, it would be fit and proper to give direction to the respondents to extend the benefit of the said judgement dated 25.4.89 in OA 809/89 to the applicant herein also.

6. As already pointed out, the applicant has made a representation to the competent authority on 27.11.91 for redressal of his grievance which had been rejected on 20.12.91. The applicant has filed this OA as already indicated on 8.2.93. Bearing section 21 of the Administrative Tribunals Act in mind, which deals with limitation, it will be proper to give a direction to the respondents to extend monetary benefits to the applicant w.e.f. 27.11.91 which is the date of representation of the applicant to the competent authority for redressal of his grievance.

7. Hence, we direct the respondents to extend the benefit of the Judgement dated 25.4.89 in OA 809/89 on the file of the Central Administrative Tribunal, Principal Bench, New Delhi, to the applicant herein also.

8. Further, we direct the respondents to restrict the

..4..

27.11.91

monetary benefits payable to the applicant w.e.f. 30.10.91 only. All the arrears due to the applicant shall be paid by the respondents within three months from the date of the communication of this order.

9. OA is allowed accordingly, leaving the parties to bear their own costs.

T. Chandrasekara Reddy
(T.CHANDRASEKHARA REDDY)
Member(Judl.)

Dated: 18th February, 1993
(Dictated in the open court)

83/873
Deputy Registrar(J)

sd/mvl

To

1. The Secretary to the Govt. of India,
Ministry of Water Resources, New Delhi-66
2. The Chairman, Central Water Commission,
Seva Bhavan, R K Puram, New Delhi-1.
3. One copy to Mr. R. Briz Mohan Singh, Advocate, CAT.Hyd.
4. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
5. One spare copy.

pvm.

sd/mvl
3/3/93

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO : V.C.
AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)
AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY
: MEMBER (J)

AND

THE HON'BLE MR.

DATED: 18-1-1993

ORDER/JUDGMENT:

R.P./C.P/M.A. No.

in

C.A. No. 120/93.

T.A. No.

(W.P. No.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

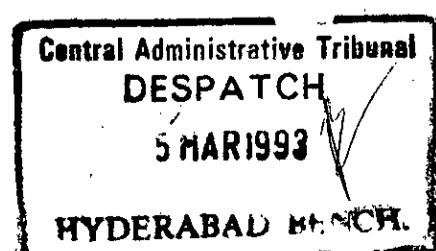
Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs.

pvm



R.Brizmohan Singh
Advocate
3 & 38,
Agarwal Chambers,
KingKothi,
HYDERABAD.

HYDERABAD.

Dt.. 21.3.93.

31

To
The Registrar,
Central Administrative Tribunal,
Hyderabad Bench, Hyderabad.

Dear Sir,

Sub: O.A.120, of 1993 - Decided on 18.2.93 - Certain material mistakes in the Judgement - Correction of the same - Regarding.

The above O.A. was decided by The Hon'ble Central Administrative Tribunal, Hyderabad Bench on 18.2.93 and certain mistakes occurred in the said judgement in respect of material particulars which are as follows:

Reef 21/4/93

SO(J)

- a) The date of rejection of the representation was wrongly stated as 20-12-91 instead of 6-1-92 at page 2 of the judgement.
- b) As per the judgement, the arrears are to be restricted only from the date of representation to the date of decision, but no mention was made as regards the amounts already drawn by the applicant from 1.1.1986 to 1.7.1986 which were later cancelled and subsequently recovered.

ANC
18-1-93
ttc/sr

Hence, I request you to kindly direct the office to post the above O.A., "FOR BEING MENTIONED" before the Hon'ble Tribunal after circulating this letter to Hon'ble Sri T.Chandra Shekar Reddy, Member, Who delivered the above judgement.

Enc: Judgement Copy.

Yours Faithfully,

R.Brizmohan Singh

(R.BRIZMOHAN SINGH)

ADVOCATE

The Hon'ble Mr. T. Chandra Sekhar Reddy, Member

circulated for orders

*T.B. 21/4/93
S.O.J.*

*18-1-93
6-4-93
7-4-93*

3. The applicant was promoted to the post of Deputy Director, in the pre-revised scale of Rs.1100-50-1600 by proceedings of the Government of India, Central Water Commission dated 18.1.84. He joined duty on 30.1.84. It is the grievance of the applicant that the applicant was entitled for 2 increments while working on adhoc basis in the post of Deputy Director, Central Water Commission and whereas, the applicant had been granted only one increment on regular promotion to the said post. The applicant was appointed on regular basis in the said post of Deputy Director, Central Water Commission, w.e.f. 29.5.85. At the time, the applicant was promoted on regular basis as Deputy Director Central Water Commission, according to the applicant the sole increment which was granted to him ^{also} had not been taken into consideration. It is the grievance of the applicant that the 2 increments for which he was entitled in the post of Deputy Director, Central Water Commission, while working on adhoc basis, are to be counted for the purpose of fixing his pay when he was appointed on the regular basis in the said post of Deputy Director. The applicant in this regard, had put in a representation on 27.11.91 to the competent authority for redressal of his grievance. Final orders had been passed by the respondents on 20.12.1991 rejecting the claim of the applicant to grant the increments for the period the applicant had worked on adhoc basis in the post of Deputy Director, Central Water Commission. So, the applicant has approached this Tribunal for the relief as already indicated above.

4. This OA is filed on 8.2.93. As already pointed out, the representation of the applicant dated 27.11.91 for redressal of his grievance had been rejected on 20.12.1991. As there is 34 days delay in filing this OA, Mr Briz Mohan, Singh

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

(32)

O.A. No.120/93

Date of Decision:18.2.1993

Between

N.K.Bhanderi

and

1. Secretary to the Govt. of India,
Ministry of Water Resources
New Delhi-66.

2. The Chairman,
Central Water Commission
Seva Bhawan,RK Puram,New Delhi-1. .. Respondents

Counsel for the Applicant :: Mr R.Briz Mohan Singh

Counsel for the Respondents :: Mr NV Ramana, ~~Addl CGS~~ ..

CORAM:

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

ORDER

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to rectify the pay of the applicant taking into consideration the adhoc services of the applicant as Deputy Director/Executive Engineer, Central Water Commission, Government of India, by granting the increments due for fixing his pay on regular promotion as Deputy Director/Executive Engineer.

2. The facts so far necessary to adjudicate this OA in brief are as follows:

T. C. n

..2

..4..

27.11.91
monetary benefits payable to the applicant w.e.f. 30.10.91 only. All the arrears due to the applicant shall be paid by the respondents within three months from the date of the communication of this order.

9. CA is allowed accordingly, leaving the parties to bear their own costs.

CERTIFIED TO BE TRUE COPY

Date.....

3/3/93

Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad

To

1. The Secretary to the Govt. of India,
Ministry of Water Resources, New Delhi-66
2. The Chairman, Central Water Commission,
Seva Bhavan, R. K. Puram, New Delhi-1.
3. One copy to Mr. R. Brij Mohan Singh, Advocate, CAT.Hyd.
4. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT.Hyd.
5. One spare copy.

pvm.

Case Number	CA 120/93
Date of Issue	18-11-93
Date of Return	9-12-93
Court Seal	

Counsel for the applicant, has moved MA 118/93 to condone the delay of the said 34 days. After hearing both sides, we are satisfied that sufficient cause had been made out by the applicant for the delay of 34 days in filing this OA. Hence, we condone the delay of 34 days in filing this OA and MA 118/93 is allowed accordingly.

5. During the course of the admission hearing of this OA, it was brought to our notice that OA No.809/89 had been filed before the Central Administrative Tribunal, Principal Bench by a person similarly placed to this applicant herein. The said OA 809/89 on the file of CAT Principal Bench, New-Delhi had been allowed with certain directions. So, it would be fit and proper to give direction to the respondents to extend the benefit of the said judgement dated 25.4.89 in OA 809/89 to the applicant herein also.

6. As already pointed out, the applicant has made a representation to the competent authority on 27.11.91 for redressal of his grievance which had been rejected on 20.12.91. The applicant has filed this OA as already indicated on 8.2.93. Bearing section 21 of the Administrative Tribunals Act in mind, which deals with limitation, it will be proper to give a direction to the respondents to extend monetary benefits to the applicant w.e.f. 27.11.91 which is the date of representation of the applicant to the competent authority for redressal of his grievance.

7. Hence, we direct the respondents to extend the benefit of the Judgement dated 25.4.89 in OA 809/89 on the file of the Central Administrative Tribunal, Principal Bench, New Delhi, to the applicant herein also.

8. Further, we direct the respondents to restrict the

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

M.A.No. 816/93 in O.A.NO. 120/93.

Date of Order: 7-10-93.

Between:

1. Union of India, through the Secretary
to the Govt. of India,
Ministry of Water Resources, Shram Shakthi Bhavan,
New Delhi-1.
2. The Chairman, Central Water Commission,
Sewa Bhavan, R.K.Puram, New Delhi-66.

Applicants / Respondents.

and

N. K. Bandari

Respondent/Applicant.

For the Applicants: Mr. N.V. Ramana, Addl. CGSC.

For the Respondent: Mr. R. Briz Mohan Singh, Advocate

CORAM:

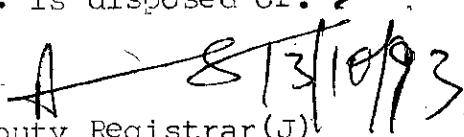
THE HON'BLE M.R.A.B.GORTHI : MEMBER(ADMN)

AND

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

The Tribunal made the following Order:-

Heard Shri N.V. Ramana, Addl. CGSC. In this M.A. the prayer is for extension of time upto 11-12-1993 for implementation of the judgment in O.A. 120/93. None for the applicant in O.A. The time asked for is granted but the Respondents will note that no further extension of time will be given. M.A. is disposed of.


Deputy Registrar (J)

To

1. The Secretary to the Govt. of India, Union of India,
Ministry of Water Resources, Shram Shakthi Bhavan, New Delhi-1.
2. The Chairman, Central Water Commission, Sewa Bhavan,
R.K.Puram, New Delhi-66.
3. One copy to Mr. N.V. Ramana, Addl. CGSC.CAT.Hyd.
4. One copy to Mr. R. Briz Mohan Singh, Advocate, No. 3 & 38,
Agarwal Chamber, Kingkoti, Hyd-1.
5. One copy spare.

pvm


8/10/93

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.GORTHI : MEMBER(A)

AND

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

AND

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

Dated: 7 - 10 - 1993

ORDER/JUDGMENT.

M.A./R.A./C.A. No. 814/93

in

O.A. No. 120/93

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.

pvm

