

(64)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:: HYDERABAD BENCH::
AT HYDERABAD.

O.A.No.1286/93.

Date: 11-4-1996.

Between:

Smt. R. Lalitha Applicant

And

Regional Director,
ESI Corporation,
Adarshnagar,
Hyderabad. Respondent

Counsel for the Applicant : Sri B.S.Rahi, Advocate

Counsel for the Respondent : Sri N.R.Devaraj, Sr.CGSC

C O R A M:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE)

J U D G M E N T

{ as per Hon'ble Sri R.Rangarajan, Member (Administrative) }

The applicant in this OA was appointed as UDC on regular basis on 21.5.1979 and her pay was fixed in accordance with the rules. Sri S.Venkataratnam who is reported to be her junior was appointed as UDC on regular basis on 1.9.1979. The gradation list of UDCs of A.P.Region as on 31.3.1986 (Annexure A.3), the applicant is placed at Sl.No.102 and Sri Venkataratnam is placed at Sl.No.109. Later on, both the applicant and Sri Venkataratnam were promoted as Assistant/Head Clerk on 9.6.1989 and 15.7.1989 respectively on regular basis.

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Initially, the pay of the applicant was fixed at higher stage than that of Sri Venkataratnam, her junior in the cadre of Assistant/Head Clerk. But, later on, the pay of Sri Venkataratnam was stepped up vide office order No.322 of 1993 dated 13.8.1993 (Annexure A.5) in terms of judgment in OA 574/92 decided on 7.12.1992 on the file of this Bench.

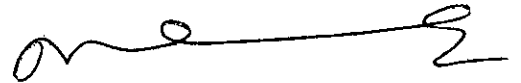
2. The applicant herein filed representation dt. 1.9.1993 (Annexure A.1 to the Director General, ESIC, but it was rejected by impugned order dt.17.9.93 bearing No.52/A/20/11/582/90-Estt.I (Annexure A.2).

3. Aggrieved by the above rejection, the applicant herein has filed this OA for stepping up other ^{pay} equivalent to that of Sri S.Venkataratnam her junior, from the date on which the pay of Sri Venkatratnam was higher than the applicant and consequential benefits such as arrears etc.

4. It is stated for the respondents that the pay of Sri Venkataratnam was stepped up in view of the judgment dt. 7.12.1992 in OA.No.574/92 on the file of this Bench. The respondents admit that Sri Venkataratnam is junior to the applicant. They also admit that in view of the fact that that her junior's pay was fixed at higher stage, the pay of the applicant in the said grade has to be fixed at higher stage. The applicant is also entitled to higher pay fixation with respect to her junior Sri Venkataratnam from the date Sri Venkataratnam's pay was fixed higher than the applicant.

5. In the result, the OA is allowed as prayed for and the respondents are directed to fix the pay of the applicant on par with Sri S.Venkataratnam her junior from the date Sri Venkataratnam pay was fixed at higher stage than the applicant. The applicant is entitled for arrears from that date. As this OA ~~was~~ disposed off due to admission of the respondents, this will not be treated as a precedence in other cases.

6. The OA is ordered accordingly. No costs.



(R.Rangarajan)
Member(Admn.)

Dated 11th April, 1996.
Dictated in open court.

Handwritten notes:
7-7-96
Dns

Grh.

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TYPED BY
COMPARED BY

DA: 12.8.93
CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

(TYPED BY)

THE HON'BLE SHRI R. RANGARAJAN : M(A)

DATED: 11/4/91

~~ORDER~~ JUDGEMENT

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

IN

B.A. NO. 1286/93

ADMITTED AND INTERIM DIRECTIONS ISSUED

~~ALLOWED~~

DISPOSED OF WITH DIRECTIONS

DISMISSED -

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

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