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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. 1502/93.

Dt. of Decision : 31.1.95.

1. C.S. Upadhyayulu

2. P. Syamasundara Rao

.. Applicants

Vs

1. The Telecom Commission,  
rep. by its Chairman,  
Govt. of India, New Delhi.

2. The Chief General Manager,  
Telecommunication, A.P.Circle,  
Hyderabad.

3. Chief General Manager,  
Southern Telecom Region, Madras.

.. Respondents.

Counsel for the Applicants

: Mr. D. Madhava Reddy and P. Naveen

Counsel for the Respondents

: Mr. N.V. Ramana, Addl. CG SC.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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JUDGMENT

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

Heard Sri D.Madhava Reddy, learned Counsel for the applicants and Sri N.V.Ramana, learned Standing Counsel for the respondents.

2. The 1st applicant was recruited as Junior Engineer in the year 1964. He had passed the qualifying examination for recruitment to TES Gr. 'B' in the year 1973 and was regularly promoted to TES Gr. 'B' in the year 1979. He was drawing a basic pay of Rs.2825/- as on 1.5.1990.

2. The 2nd applicant was ~~xxx~~ recruited as Junior Telecom Officer in the year 1964. He had secured degree in Engineering in the year 1970 and was promoted to T.E.S. Gr.'B' in the year 1979. The pay of the applicant No.2 was Rs.2975/- as on 1.5.1990.

3. It is submitted that Department of Telecommunications vide its order dt. 11.7.1990 (page-17 of material papers) granted advance increments to the Telecom Officials/Officers for acquiring a degree in Engineering or equivalent qualification while in service. Accordingly S/Sri A.K.Pandey and P.P.S.Bhatia who were juniors to 1st applicant were granted two advance increments while they working in T.E.S. Group 'B' in terms of the above referred orders. In view of the above, the pay of S/Sri Pandey and Bhatia, who were juniors to the 1st applicant herein was enhanced to Rs.2975/- as on 1.5.1990 against the basic pay of Rs.2825/- of the applicant and thus the juniors to the 1st applicant continued to draw higher pay than the applicant No.1.

To

1. The Chairman, Telecom Commission,  
Govt. of India, New Delhi.
2. The Chief General Manager, Telecommunication,  
A.P.Circle, Hyderabad.
3. The Chief General Manager, Southern Telecom Region,  
Madras.
4. One copy to Mr. D. Madhava Reddy, <sup>and P. Naveen Rao</sup> Advocates, CAT. Hyd.
5. One copy to Mr. N. V. Ramana, Addl. CGSC, CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

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4. In terms of the above letter dt. 11.7.1990, Sri Omprakash who was junior to the applicant No.2 herein was granted two advance increments and therefore his pay was enhanced to Rs.3125/- as on 1.6.1990 against the basic pay of Rs.2975/- of the 2nd applicant herein. Thus Sri Omprakash junior to the 2nd applicant herein continued to draw higher pay than him.

5. The claim of the applicants is for a direction to the respondents to remove the anomaly in pay fixation arising out of the letter dt. 11.7.1990 (page-17 of the material papers) issued by the Department of Telecommunications and to step up their pay equal to their respective juniors i.e. S/Sri A.K.Pandey and P.P.S.Bhatia in respect of 1st applicant and Sri Omprakash in respect of 2nd applicant, with all consequential benefits.

6. Sri N.V.Ramana, learned Standing Counsel produced a copy of the letter dt. 2.5.1994 bearing No.49-1/94-PAT. As per the said letter R-2 was directed to get the OA 1502/93 withdrawn filed by the applicant therein in the CAT, to remove the anomaly in pay arising out of grant of two advance increments in the light of the instructions contained in letter dt. 11.7.1990 as the Government has decided to step up the pay of all officers in all such cases. A direction was also given in the said letter to R-2 to step up the pay of the applicants concerned as per the instructions contained in office letter No.4-24/90-PAT dt. 10.2.1994. In view of the above submissions, it is obvious that the respondents have decided to grant the relief as prayed for and hence there is nothing left for adjudication.

7. The OA is thus disposed of without any further orders.

No costs.  
 (R.Rangarajan)  
 Member(Admn.)

*bx. 31*  
 (V.Neeladri Rao)  
 Vice-Chairman

Dated 31 January, 1995.

Grh.

*Amrit*  
 Deputy Registrar

TYPED BY

CHECKED BY

COMPARED 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.R.RANGARAJAN : M(ADMN)

DATED: 31-1-1994

ORDER/JUDGEMTN:

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

in

O.A.No.

1502/93

T.A.No.

(w.p.)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Ordered/Rejected

No order as to costs.

PVM

No SPARE COPY

