

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

(33)

ORIGINAL APPLICATION NO.419/93

DATE OF JUDGEMENT: 29-7-1993

Between

K.K.Subbanna .. Applicant

and

The Accountant General-I, (Audit-I)
Andhra Pradesh, Khairatabad,
Hyderabad .. Respondent

Counsel for the Applicant :Mr GV Krishna Reddy

Counsel for the Respondents :Mr G. Parameshwar Rao

CORAM:

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

JUDGEMENT

This application is filed by the applicant herein under Section 19 of the Administrative Tribunals Act to direct the respondents to release annual increments of the applicant retrospectively with effect from 1.1.1977 at E.B.Stage and consequently to raise the pay of the applicant in the pre-revised scale of pay by Rs.580/- together with arrears accrued thereon and refix the pay in the pre-revised scale and revised scales of pay xxxx. i.e., 1.1.1977 and 1.1.1986 and grant other reliefs as may deem fit and proper in the circumstances of the case.

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2. The facts giving rise to this OA in brief, may be stated as follows:

3. The applicant was selected as UDC and joined in the office of the Accountant General, Hyderabad on 1.2.1958. Subsequently, he was promoted as Selection Grade Auditor and was placed in the pay scale of Rs.425-15-560-EB-640. The EB increment of the applicant fell due on 1.1.1977 at the stage of Rs.560/- . The DPC did not permit the applicant to xxxx cross the EB. He was permitted to cross the EB at the stage of Rs.560/- in the revised scale of Rs.425-15-500-EB-15-560-20-700/-, with effect from 1.4.1980. The case of the applicant is that he is entitled to cross the EB w.e.f. 1.1.1977 and for all consequential benefits. So, he has filed the present OA for the reliefs as already indicated above.

4. The applicant had put in a representation to the Competent Authority on 4.9.81. As per the orders of the respondents dated 4.11.81, it has been made clear to the applicant that his case had been considered by the EB Review Committee on its merits and the decision allowing the applicant to xxxx cross EB at the stage of Rs.560 in the revised scale of Rs.425-15-500-EB-15-560-20-700 with retrospective effect from 1.4.80 raising his pay to Rs.580/- does not require any revision. The said order dated 4.11.81 passed by the respondents on the representation of the applicant is available at Page 22 of the OA. Nodoubt, the applicant had made representations after 4.11.81 also for redressal of his grievances which were turned down by the respondents.

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5. One fact is clear in this OA. The grievance of the applicant relates to the period prior to 2.11.82. It is now well settled that this Tribunal does not have jurisdiction ~~is~~ in respect of any grievance that arose prior to 1.11.82 in view of the decision reported in ATR 1986 CAT 203 VK Mehra Vs Secretary, Ministry of Information and Broadcasting. So in view of this position, for want of jurisdiction, it is not open for us to go into the merits of this case. It is only on 29.4.93 that this OA had been filed by the applicant. It is rather understandable for the grievances of the year of 1980 why ~~the~~ the applicant did not approach the High Court which was the then competent forum for redressal of his grievances. ~~As such~~ ^{As such} as this Tribunal does not have jurisdiction to deal with this case, the OA is liable to be rejected and is accordingly rejected leaving the parties to bear their own costs.

T. Chandrasekhar Reddy
(T.CHANDRASEKHARA REDDY)
Member(Jddl.)

Dated: 29-7-1993

Deputy Registrar (J)

To

1. The Accountant General-I (Audit-I)
A.P.Khairatabad. Hyderabad.
2. One copy to Mr.G.V.Krishna Reddy, Advocate, 3-4-875/1,
Barkatpura, Hyderabad.
3. One copy to Mr.G.Parameswara Rao, SC for A.G.CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

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30/6/93

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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.S.GORTHY : MEMBER(A)

AND

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

AND

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

Dated: 29-7-1993

ORDER/JUDGMENT:

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

O.A.No.

in
u19/93

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.

