

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

...

O.A.No. 990/94.  
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Date of decision: 22--8--1997.  
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Between:

1. D.Vishnu. Applicants.  
2. Ch. Ashok Kumar.

And

1. Union of India represented by the  
Secretary, Ministry of Defence,  
New Delhi - 1.  
2. Scientific Adviser to Minister of  
Defence and Director General, Defence Re-  
search & Development Organisation (DRDO) DHO P.O.  
New Delhi -1.  
3. Director Explosives Research & Development,  
Laboratory (ERDL) Pashan, Pune 411081.  
4. Officer in charge ERDL Cell,  
Hyderabad - 500 258. .. Respondents.

Counsel for the applicants: Sri T.V.V,S,Murthy

Counsel for the respondents: Sri N.R.Devaraj.

CORAM:

HON'BLE SRI R. RANGARAJAN, Member (A)

Hon'ble Sri B.S. Jai Parameshwar, Member (J)

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JUDGMENT: -----  
(By Hon'ble Sri R.Rangarajan, Member (A).  
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Heard Sri T.V.V.S.Murthy for the applicant  
and Sri N.R.Devaraj for the respondents.

relief prayed for in this O.A., is as under:

"to direct the respondents to extend the  
benefit of pay scale of Rs.260 -400 to the  
with effect from 15-10-1984 with  
arrears of pay and seniority by extending  
the benefits of the judgment of this Bench  
in O.A.No.363/88 dated 23-6-1989 which has  
become final in the light of the dismissal of  
SLP against that judgment by the Apex Court  
and subsequent judgments of this Tribunal  
in O.A.Nos., 87/90, 146/90 and 208/90  
dated 17-6-1991 inasmuch as the applicants  
are entitled to the said benefits and they  
cannot be discriminated in this regard under  
the provisions of Articles 14 and 16 of the  
Constitution.

The case was heard elaborately and both sides  
argued the case for quite some time. After hearing the  
case, the learned counsel for the applicants felt that  
it is preferable to press this O.A., only after the Hon'ble  
Apex Court disposed of the S.L.P. Nos. 8777 to 8786/97

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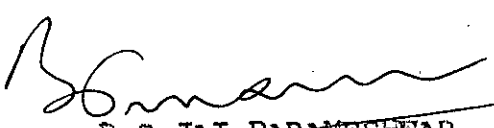
: 3 :


The learned counsel for the applicants further  
<sup>adv</sup>are  
 submit, that ~~if~~ the S.L.P.s ~~is~~ disposed of, he will  
 file a fresh O.A., for the same relief if so advised.  
 In view of that he ~~requests~~ <sup>to</sup> for permission ~~for~~ with-  
 draw~~al~~ <sup>al</sup> of the O.A., subject to his request that he  
 will file a fresh O.A., for the same relief after  
 the disposal of SLP referred to above.

~~The Bench~~ The Bench agrees with the request  
 made by the learned counsel for the applicants.

Hence the O.A., is disposed of as withdrawn.

with liberty to the applicant to file a fresh O.A.,  
 if so ~~advised~~ <sup>are</sup>  
 for the same relief/after the SLPs ~~are~~ disposed of by  
 the Apex Court, ~~at~~ No costs.

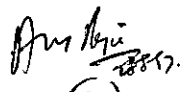
  
 B.S. JAI PARAMESWAR  
 22.8.1997 Member (T)

  
 R. RANGARAJAN  
 Member (A)

Date: 22--8--1997.

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 Dictated in open Court.

sss.

  
 D.R. (J)

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## Copy to:

1. The Secretary, Min. of Defence, New Delhi.
2. Scientific Adviser to Minister of Defence and Director General, Defence Research & Development Organisation, (DRDO), DHO PO, New Delhi.
3. Director Explosives Research and Development Laboratories, (ERDL), Pashan, Pune.
4. Hyderabad
5. One copy to Mr. T.V.V.S. Murthy, Advocate, CAT, Hyderabad.
6. One copy to Mr. N.R. Devraj, Sr. CGSC, CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One duplicate copy,

YLKR

CHECKED BY  
APPROVED BY

THE HON'BLE SHRI R. RAMAKRISHNAN : PM (A)

THE HON'BLE SHRI B.S.JAI PARMESHWAR:  
(M) (J)

Dated: 22/8/97

ORDER/JUDGEMENT

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

id

C.A. NO. 990/94

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

~~Dismissed for Default~~

Ordered/~~Rejected~~

No order as to costs.

YLR

II Court

