

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.803/95

DATE OF ORDER : 13-06-1997.

Between :-

M.P.Sastry

... Applicant

And

1. Union of India rep. by the Director General,
Telecommunications, New Delhi.
2. The Chairman,
Telecom Commission,
New Delhi.
3. The Chief Engineer (E),
Dept. of Telecom, 84, TTK Road,
Alwarpet, Madras.
4. The Superintending Engineer,
Telecom Electrical Circle,
H.No.5-B-363 Adida Besides
Raghava Ratna Towers, Hyderabad.

... Respondents

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Counsel for the Applicant : Shri K.Venkateswara Rao

Counsel for the Respondents : Shri K.Ramulu, CGSC


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CORAM:

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

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{Order per Hon'ble Shri R.Rangarajan, Member (A) }.

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Heard Sri K.Venkateshwar Rao, counsel for the applicant and Shri K.Ramulu, learned standing counsel for the respondents.

2. This O.A. is filed praying for a direction to the respondents to step up the pay of the applicant herein on par with his junior S.Francis Xavier with effect from the date of his promotion to the cadre of Asst. Engineer (E)^{ie} with effect from 19.7.89 with all consequential benefits.

3. A reply has been filed in this O.A. In para-13 of the reply it is stated that a similar OA^{was filed} on the file of the Ernakulam Bench of C.A.T. ~~Filed~~ by a senior employee to S.Francis Xavier. The prayer for stepping up of pay on par with S.Francis Xavier with effect from 19-7-89 was allowed by the Ernakulam Bench of the CAT in OA 2273/93 (M.Ramakrishnan Vs. S.E(E)) and OA 781/94 (K.K.George & ors. Vs. SE(E)). That judgement has been contested by filing SLP in the Apex Court. The SLP is yet to be disposed of. The learned counsel for the respondents submits that in case the Apex Court dismisses the SLP filed against the judgement of the Ernakulam Bench referred to above, then the same benefit granted to the applicants in the above referred case will also be extended to the applicant herein. In case the Apex Court allows the SLP, the applicant cannot ask for the relief. If any other modified order is given in the SLP by the Supreme Court, that order will also be applicable to the applicant in this case. In view of this^{admission} the counsel for the respon-

dents ~~submit~~ that the applicant has to wait till the disposal of the SLP.

4. In view of the above, the following direction is given :-

"The applicant is entitled to the same benefits as ^{was} granted in OA 2273/93 and OA 781/94 on the file of Ernakulam Bench of CAT by judgement dt.18-8-94 if the SLP filed against that judgement is dismissed.

In case the SLP is allowed, the applicant cannot get the relief as asked for in this OA.

If any other modified order is given by the Apex Court in the above referred SLP, the applicant is also entitled for that modified relief as granted by the Supreme Court.

5. With the above directions, the OA is disposed of .

No order as to costs.



(R.R. ANGARAJAN)
Member (A)

Dated: 13th June, 1997.
Dictated in Open Court.

Authd
23/6/97
D.Y.R. Registrar (3)

avl/

Copy to:-

1. The Director General, Union of India, Telecommunications, New Delhi.
2. The Chairman, Telecom Commission, New Delhi.
3. The Chief Engineer(E), Dept. of Telecom, 84, TTK road, Alwarpet, Madras.
4. The Superintending Engineer, Telecom Electrical Circle, H.No.5-8-368, Adida Besides, Raghava Ratna Towers, Hyd.
5. One copy to Sri. K.Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. K.Ramloo, ~~S&X&X&X&X&X~~ Addl. GSC, CAT, Hyd.
7. One copy to Deputy Registrar(A), CAT, Hyd.
8. One spare copy.

Rsm/-

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10/7/97

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 13/6/97

ORDER/JUDGEMENT

M.A./T.A./D.A. NO.

M.A. NO.

803/95

Resisting and Interim directions
resisted.

All and

Disposed of with directions,

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

