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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A. NO.929/95

Between:

Date of Order: 26.10.95.

A.Sankaraiah

...Applicant.

And

1. The Superintending Engineer,
Hyderabad Central Circle,(Civil),
Nirman Bhavan, 1st Floor, 4-5-364,
Central Public Works Department,
Sultan Bazar, Hyderabad - 500 195.
2. The Chief Engineer, South Zone - II,
Central Public Works Department,
Pozennet Bhavan, 6 th Floor,
Tilak Road, Hyderabad - 500 001.
3. The Director General of Works,
Central Public Works Department,
Nirman Bhavan, New Delhi - 110 011.
4. The Secretary, Min. of Urban Development,
Central Secretariat, New Delhi.

....Respondents.

Counsel for the Applicant : Mr. I.Dakshina Murthy

Counsel for the Respondents : Mr.N.V.Ramana, Addl.CGSC.

CORAM:

THE HON'BLE JUSTICE SHRI V.NEELAORI RAO : VICE CHAIRMAN.

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

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as on 19.8.1988 and he has to be given the arrears from that date.

7. The OA is ordered accordingly. No costs.//

Dakshina Murthy
Date..... 30/10/95
Court Office
Central Government of India
Hyderabad
Hyderabad

TO

1. The Superintending Engineer, Hyderabad Central Circle (Civil), Nirman Bhavan, 1st Floor, 4-5-364, Central Public Works Dept., Sultan Bazar, Hyderabad . 500 195.
2. The Chief Engineer, South Zone, II, Central Public Works Dept., Poornam Bhavan, 6th Floor, Tilak Road, Hyderabad- 500 001.
3. The Director General of Works, Central Public Works Department, Nirman Bhavan, New Delhi - 110 011.
4. The Secretary, Min. of Development, Central Secretariat, New Delhi.
5. One copy to Mr.I.Dakshina Murthy, Advocate,CAT,Hyderabad.
6. One copy to Mr.N.V.Ramana, Addl.CGSC,C AT,Hyderabad.
7. One copy to Library, CAT,Hyderabad.
8. One spare copy.

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4. The applicants in the OA 2241/91 on the file of the Principal Bench had been allotted to CPWD when they were found surplus in Beas Construction Board. They claimed that they have to be given the benefit of the higher pay scale on completion of five years of service including their service in Beas Construction Board. The same was upheld by the Principal Bench as per the judgment dated 18.5.92 and the SLP against the order in CCP 328/93 in OA 2241/91 was dismissed on 30.11.1993 as can be seen from the OM dated 20.12.1993 (Annexure R-V).

5. Hence it has to be held that for reckoning five years period as per the letter dated 22.3.91, the period of service of the applicant in DDA also has to be taken into consideration. Thus, He completed five years of service even on 19.8.1988, the date on which he joined CPWD. As such his pay has to be fixed in the pay scale of Rs.1640-2900 with effect from 19.8.88 the date on which he joined CPWD and the applicant has to be given the monetary benefits from that date.

6. In the result, the OA is disposed of as under:-

The pay of the applicant as Junior Engineer, in CPWD has to be fixed in the pay scale of Rs.1640-2900

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