

(41)

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH :
AT HYDERABAD.

O.A.No.1178 of 1995.

Date of Order- 1.9.97.

Between.

- | | |
|------------------------|--------------------------|
| 1. Ch. Sudarshana Rao | 19. S. Rama Rao |
| 2. R.V.K.Sastry | 20. M. Koteswara Rao |
| 3. V. Narahari | 21. M. Venkataswamy |
| 4. B. Narayana | 22. D. Prasad |
| 5. J. Dhampal | 23. D. Narasimha |
| 6. Sathguru Singh | 24. M. Koteswara Rao |
| 7. K. Prakash | 25. D. Surya Prakash Rao |
| 8. B. Rajaiah | 26. P. Prakash |
| 9. R.Thapal | 27. P. Balashowry |
| 10. B. Yadaiah | 28. Md. Abdul Quadeer |
| 11. B.Nimmiah | 29. M. Lakshminarayana |
| 12. Sayed Amjad Ali | 30. P. Sitarama Sastry |
| 13. A. Anjaiah | 31. P. Janardhan |
| 14. K. Rangachary | 32. M. Appa Rao |
| 15. J. Satyanarayana | 33. C. Raghunath Rao |
| 16. G. Rama Krishtaiah | 34. D.E. Tarun Kumar |
| 17. Md. Akber Hussain | 35. J. Jaya Kumar |
| 18. C.B.Chandra Kumar | |

... Applicants

And

1. Union of India, represented
by Secretary, Ministry of
Defence, New Delhi.
2. Scientific Advisor to Raksha Manthri,
Ministry of Defence, New Delhi.
3. Director, Defence Research Development,
Laboratory/Research Centre, Imrat,
Kanchanbagh Post, Hyderabad.

... Respondents

Counsel for the Applicants - Mr. P.B.Vijaya Kumar

Counsel for the Respondents - Mr. N.V. Raghava Reddy, SC

Coram :

The Hon'ble Mr. R. Rangarajan, Member (Admn.)

The Hon'ble Mr. B.S.Jai Parameshwar, Member (Judl.)

ORDER (ORAL).

(As per Hon. Mr. R. Rangarajan, Member (Admn.))

1. Heard Mr.P.B.Vijayakumar for the applicants
and Mr. W. Satyanarayana for Mr. N.V.Raghava Reddy for

us

the respondents.

2. This O.A. is filed praying for a declaration that Rule 6(2&3) of the Defence Research And Development Organisation (Technical Cadre) Recruitment Rules, 1995 along with the connected sub-rules and the schedules as arbitrary, illegal and by striking down the same, direct the respondents to place all the Assistant Foremen in the scale of pay of Rs.2000-3200/- in the grade of Technical Officer Grade 'A' (Rs.2375-3500/-) on par with SSAs with all consequential and attendant benefits or atleast place all the Assistant Foremen enbloc above the Chief Draughtsman and Senior Scientific Assistant under rule 6(3)(b).

3. The applicants submitted that a similar O.A. was filed before the Bangalore Bench of this Tribunal bearing OA No.2311 of 1995. That O.A. was disposed of on 19.8.96. Against that order, S.L.P. (Civil) No.7770/97 has been filed before the Hon'ble Supreme Court of India and notice has been issued in that S.L.P. In view of the above the learned counsel for the applicants submitted that ~~the~~ ^{present} O.A. be disposed of with a direction to adhere to the final direction to be given by the Hon'ble Supreme Court in the aforesaid S.L.P. The learned counsel for the respondents also submitted that similar direction may be passed in this O.A.

4. In view of the above, the following directions are given :

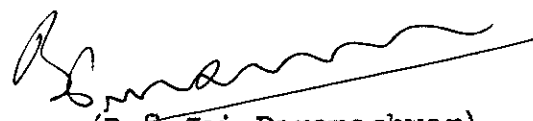
- (a) If the S.L.P. against the O.A.No.2311/95 is dismissed, then the applicants are entitled to the reliefs as given in that O.A. by the Bangalore Bench.
- (b) If the S.L.P. is allowed, then this O.A. shall stand dismissed.

- (c) If any other order is given by the apex Court,


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that order will be applicable to the applicants
in this O.A.

With the above directions, the O.A. is
disposed of. No costs.


(B.S. Jai Parameshwar)
Member (Judl.)

1.9.97


(R. Rangarajan)
Member (Admn.)

Dated the 1st September, 1997.

Dated in the open Court.

Amiling
D R (S)

DJ/

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Copy to:-

1. The Secretary UOI Ministry of Defence New Delhi.
2. The ~~Scientific Advisor to~~ Scientific Advisor to Raksha Manthrik New Delhi.
3. The Director , Defence Metallurgical Research Laboratory, Kanchanbag Post, Hyderabad.
4. One Copy to Mr. P.B. Vijaya Kumar, Advocate, CAT. Hyd.
5. One Copy to Mr. ^{N.V. Raghava Reddy} ~~Advocate~~ Addl. CGSC. CAT. Hyd.
6. One copy to The D.R.(A).
7. One Duplicate Copy.

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APPROVED BY

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: 1-9-97

~~ORDER/JUDGEMENT~~

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

in

C.A.NO. 1178/95

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions ✓

Dismissed

Dismissed as withdrawn

Dismissed for Default

~~Ordered/Rejected~~

No order as to costs.

YLKR

II Court

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
- 9 SEP 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH