

28

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION NO. 135/95

DATE OF ORDER : 21-10-1997.

Between :-

B. Ramulu

... Applicant

And

1. The Chief General Manager,
Telecommunications,
AP Hyderabad.
2. Union of India, rep. by the Director
General, Dept. of Telecommunications,
New Delhi.
3. The Secretary to the M/o Telecommunications,
New Delhi.

... Respondents

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Counsel for the Applicant : Shri K. Venkateswara Rao

Counsel for the Respondents : Shri V. Bheemanna, CGSC

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CORAM:

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

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

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

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

Heard Sri K.Venkateshwar Rao, counsel for the applicant and Sri V.Bhimanna, standing counsel for the respondents.

2. The applicant in this OA was joined as Clerk and subsequently promoted as Jr.Accounts Officer on 30-7-79. He was later promoted as Accounts Officer on 31-7-90. He compares his pay in the category of Accounts Officer with that of his junior Sri Shankara Narayanan. He submits that the said junior was promoted as Jr.Accounts Officer on 24-7-80 and to the cadre of Accounts Officer on regular basis with effect from 25-4-91. When the said junior was promoted as Accounts Officer on regular basis on 25-4-91 his pay was fixed higher than the applicant herein.

2. Hence he has filed this OA praying for a direction to the respondents to step up his pay on par with his junior Sri Shankara Narayanan at the stage of Rs.2,750/- as on 25-4-91, when his junior was regularly promoted to that cadre.

3. Reply has not been filed in this O.A. It is stated that his junior was given higher fixation due to his adhoc promotion.

4. In this connection the judgement of the Supreme Court in Civil Appeal Nos.6267-68, 6277, 6278, 6284 and 6287 of 1997 decided on 23-9-97 is very relevant. As per this judgement a junior who has been given higher fixation due to his adhoc promotion earlier to his regular promotion will not give the right for the senior to step up their pay.

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5. In view of the above directions of the Supreme Court, this OA has no merits. Hence the OA is liable to be dismissed as having no merits. Accordingly the OA is dismissed. No order as to costs.

B.S.JAI
B.S.JAI (PARAMESHWAR)
Member (J)
n. 1. 1997

R. RANGARAJAN
(R. RANGARAJAN)
Member (A)

Dated: 21st October, 1997.
Dictated in Open Court.

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J. M. R.

CA.135/95

1. The Chief General Manager,
Telecommunications, A.P. Hyderabad.
2. The Director General, Dept. of Telecommunications,
The Secretary to the M/o Telecommunications, New Delhi.
3. One copy to Mr. K.Venkateswara Rao, Advocate, CAT., Hyd.
4. One copy to Mr. V.Bhimanna, Addl.CGSC., CAT., Hyd.
5. One copy to D.R.(A), CAT., Hyd.
6. One duplicate copy.

srr

21/10/97

(X)

DEPARED BY

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: 21-10-97

ORDER/JUDGEMENT

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

in
O.A. NO. 135 /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 अधिकार्या
Central Administrative Tribunal

DEPT/DESPATCH

28 OCT 1997

HYDERABAD BENCH