

(31)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD
O.A.NO.1019 of 1995.

Between

Dated: 2.1.1996.

1. Naresh Singh.
2. A.K.Deb Gupta.
3. G.V.Krishna Murthy.
4. K.Hanumanth.
5. N.Chakrapani.
6. K.J.Krishna Rae.
7. V.G.Sohani.
8. B.Satyamareyana

... Applicants

And

1. The Director, Defence Electronics Research Laboratory, Chandrayanagutta, Hyderabad.
2. Administrative Officer, Defence Electronics Research Laboratory, Chandrayanagutta, Hyderabad.
3. The Senior Accounts Officer Finance Section, Defence Electronics Research Laboratory(DLRL), Chandrayanagutta, Hyderabad.

... Respondents

Counsel for the Applicants : Sri. K.Lakshminarasimha

Counsel for the Respondents : Sri. V.Bhimanna, Addl. CGSC.

CORAM:

Hon'ble Mr. A.B.Gerthi, Administrative Member

Contd:...2/-

O.A. 1019/95.

Dt. of Decision : 02-01-1995.

ORDER

1. As per Hon'ble Shri A.S. Gorthi, Member (Admn.)

The applicants herein were working as Master Craftsmen in the Defence Electronics Research Laboratory under Respondent No.1, when they were promoted to the next higher post of Chargeman Grade-II. The promotion orders clearly indicate that the said promotions were ordered on the recommendations of a Departmental Promotion Committee. The prayer of the applicants is that although initially their pay was correctly fixed by giving them the benefit of FR 22(C) but later on the same was denied and recovery ~~was~~ ordered. Their representations in this regard did not meet with any success. The impugned order dated 17-05-1995 may be quashed.

2. Heard learned counsel for both the parties.

3. Shri K. Lakshmi Narasimha, learned counsel for the applicants has drawn my attention to the judgement of the Full Bench of the Tribunal in Bajrang Sitaram Wanjale and others Vs Union of India and others (OA.No.412/93 of Bombay Bench of the Tribunal). The Full Bench held that the Master Craftsman on promotion to the post of Chargeman Grade-II would be entitled to the benefit of fixation of their pay Under FR 22 (C).

4. The applicants before me are similarly situated to those in the afore-stated OA 412/93 and there is no reason why the applicants should not be extended the same benefit as was given to the applicants in the said OA.

5. The OA is therefore allowed at the admission stage itself. The impugned order dated 17-05-1995 is set aside with a direction to the respondents to fix the pay of the applicants in the post of Chargeman Grade-II by giving them the benefit of FR 22 (C) with effect from the date of promotion of the applicants. The amount already recovered if any shall ~~also~~ be refunded. This shall be done within a period of three months from the date of communication of this order.

6. The OA is ordered accordingly. No costs.

A. B. Gorthi
(A.B. Gorthi)
Member (Admn.)

Amol
Dated : The 2nd January 1996.
(Dictated in Open Court)

Deputy Registrar (Judl.)

Copy to:-

1. The Director, Defence Electronics Research Laboratory, Chandrayanagutta, Hyderabad.
2. Administrative Officer, Defence Electronics Research Laboratory, Chandrayanagutta, Hyderabad.
3. The Senior Accounts Officer, Finance Section, Defence Electronics Research Laboratory (DLRL), Chandrayanagutta, Hyd.
4. One copy to Sri. K. Lakshminarasimha, advocate, CAT, Hyd.
5. One copy to Sri. V. Bhimanna, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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DA-1019/95

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

HON'BLE SHRI A.B.GORTHI : MEMBER(A)

~~HON'BLE SHRI~~

DATED: 2/1/96

ORDER/JUDGMENT

M.A. No. / R.A. / C.A. No.

IN

D.A. No.

1019/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

* * *

No Spare Copy

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केन्द्रीय प्रशासनिक नियमों का Central Administrative Rules प्रत्येक/RESPALSH
22 JAN 1996
2 हृदयाबाद न्यायालय HYDERABAD BENCH

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