

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
 AT HYDERABAD

O.A.No. 389/95

Date of Order : 31.10.97

BETWEEN :

AND

1. Union of India, rep. by its Secretary, Ministry of Defence, New Delhi.
2. The Chief of Naval Staff, Naval Head Quarters, New Delhi.
3. Flag-Officer-Commanding-in-Chief, Eastern Naval Command, Headquarters, Visakhapatnam.
4. General Manager, Naval Armament Depot, Visakhapatnam. .. Respondents.

Counsel for the Applicant .. Mr. P.B.Vijaya Kumar  
 Counsel for the Respondents .. Mr. V.Bhimanna

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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

O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Mr. B.M.Patro for Mr. P.B.Vijaya Kumar, learned counsel for the applicant and Mr. V.Bhimanna, learned standing counsel for the respondents.

2. This OA is filed praying for a direction to the respondents to fix the pay of the applicant in the scale of pay of Rs.1320-2040 w.e.f. the date from which all other HSK-I have been given together with all consequential and attendant benefits including payment of difference in pay w.e.f. such date as this Tribunal may deem fit.

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3. The pay of the applicant was fixed though he was promoted as regular HSK-I was ~~fixed~~ in the scale of pay of Rs.330-480 in view of the recommendations of the Expert Classifications Committee. This the applicant submits is incorrect <sup>View of</sup> in para-4(a). In the reply in para-6 it is stated that on the basis of the 4th Pay Commission Recommendation the pay scale of 330-480 was given scale of Rs.1200-1800 was fixed at Rs.1260/- w.e.f. 1.1.86.

4. If the applicant is aggrieved by the fixation of scale of pay either by the Expert Classification Committee or by the 4th Pay Commission Recommendation, he should impugne those recommendations before getting any relief in this OA. The learned counsel for the applicant submits that he will suitably impugne the orders and file a fresh OA.

5. In view of what is submitted this OA is disposed of as withdrawn, but he is at liberty to file a fresh OA for the same ~~alleg~~ <sup>alleg</sup> impugning the suitable classification orders in accordance with the law. The period from 20.3.95 till date will not be counted for purpose of limitation if any. No costs.

  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)

31/10/97

Dated : 31st October, 1997

(Dictated in Open Court)

  
( R. RANGARAJAN )  
Member (Admn.)

  
D.R.

sd

13/11/97/8  
TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

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

Dated: 31-10-97

ORDER/JUDGMENT

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

in  
O.A.NO. 389 /95

Admitted and Interim Directions  
Issued.

Allied

disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal  
DESPATCH

10 NOV 1997

हैदराबाद न्यायालय  
HYDERABAD BENCH