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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.559/95

dt.6-11-97

Between

Chetti Bangaru Raju

: Applicant

and

1. Union of India,
rep. by its Secretary
Min. of Defence
Sena Bhavan, New Delhi 11

2. The Commandant HQ
Artillery Centre
Golconda, Hyderabad 31

: Respondents

Counsel for the applicant

: K. Sudhakar Reddy
Advocate

Counsel for the respondents

: V. Rajeswara Rao
CGSC

Coram

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

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

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Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn.))

Mr. K. Sudhakar Reddy for the applicant and Sri V. Rajeswara Rao for the respondents.

1. The applicant in this OA was appointed as Permanent Boot Maker on 16-5-1978 under Respondent-2. The post of Boot Maker was carrying the pay scale of Rs.200-250/- in the Ministry of Defence and as per the recommendations of the Expert Classification Committee, the Boot Makers in the EME became entitled to the revised scales of Rs.210-290/- but the same was not granted, submits the applicant. The said scale of pay was further revised to Rs.260-400/- in the year 1984. That was also not extended to the applicant. Hence, one of the Boot Makers Mr. Kedarnath filed OA.443/88 on the file of this Bench claiming the revised pay scales of Rs.210-260/- and Rs.260-400/- with all consequential benefits with effect from 22-8-1983. That OA was allowed by the judgement dated 29-9-1989. The final direction reads as below :

"For the reasons given above and in the circumstances of the case, the applicant is entitled to pay scales of Rs.210-260/- to Rs.260-400/- with effect from 22-8-1983. The respondents are directed to fix the pay of the applicant in the scale of Rs.210-260/- to Rs.260-400/- with effect from 22-8-1983 and pay all the arrears within three months from the date of receipt of this order."

2. Relying on the above said judgement, this OA is filed for a declaration that the applicant is entitled for grant of revised pay scale of Rs.210-260 and Rs.260-400/- with effect from 22-8-1983 in terms of the judgement dated 13-7-1994 in OA.795/94.

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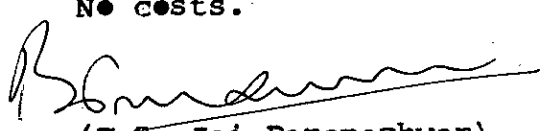
3. A reply has been filed in this OA. The respondents submitted that the applicant has not been placed similarly as the applicant in OA.443/88. Hence the applicant is not eligible for any relief as prayed for in OA.443/88.

4. It is further submitted that the applicant has not represented his grievance to the respondents and he has from the Departmental authorities. Hence, the respondents pray for dismissal of the OA.

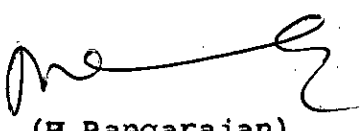
5. No rejoinder has been filed in this OA to come to the conclusion that this OA is similar to the OA.443/88. ^{As} the respondents deny that fact it is not possible to treat this case on the basis of the reasons given in the OA.443/88. Hence, it would be appropriate to direct the applicant to file a representation to the appropriate authority comparing his case with that of the applicant in OA.443/88 and pray for the relief which ^{have been} asked for in this OA. If such a representation is received from the applicant, the concerned authority ^{shall} ~~will~~ deal with that representation in accordance with law, expeditiously.

6. With the above direction, the OA is disposed of.

No costs.



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

G.1197


(R. Rangarajan)
Member (Admn.)

Dated : November 6, 97
Dictated in Open Court

sk


D.R.

OA.559/95

Copy to:-

1. The Secretary, Ministry of Defence, Sena Bhavan, New Delhi.
2. The Commandant, HQ, Artillery Centre, Golconda, Hyderabad.
3. One copy to Mr. K. Sudhakar Reddy, Advocate, CAT., Hyd.
4. One copy to Mr. V. Rajeswara Rao, Addl. CGSC., CAT., Hyd.
5. One copy to D.R.(A), CAT., Hyd.
6. One duplicate.

SRR

21/11/97

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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: _____

6/11/97

ORDER/JUDGMENT

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

in

O.A. NO.

559/95

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

