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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

..

O.A.No.1437/96.  
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Date of decision: September 9, 1997.  
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Between:

S. Saibaba. .. Applicant.

And

1. Union of India represented by its  
Secretary, Ministry of Finance,  
New Delhi.
2. The Chairman, Central Board of  
Direct Taxes, Ministry of Finance,  
Department of Revenue, North Block, Respondents.  
New Delhi.
3. The Chief Commissioner of Income Tax,  
Ayakar Bhavan, Basheer Bagh,  
Hyderabad.

Counsel for the applicant: Sri J. Sudheer.

Counsel for the respondents: Sri V. Bhimanna.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S. Jai Parmeshwar, Member (J).

JUDGMENT:

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

Heard Sri J. Sudheer, for the applicant and Sri V.

Bhimanna for respondents.

The applicant was working as Data Entry Operator  
in the scale of pay of Rs.1200-2040. He was given the  
pay scale of Rs.1350-2200 with effect from 11-9-1989  
by Office Memorandum No. F.7(A)/IC/86(44) of Ministry

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of Finance, Department of Expenditure dated 11--9--1989 (Annexure II to the O.A, Page 16). The applicant submitted a representation dated 16-12-1995 (Annexure No. VII to the O.A.,) to give him the Grade of Rs.1350-2200 from the date he joined in the Department as Data Entry Operator i.e., 1988. He also filed another representation dated 1-10-1996 (Annexure VIII to the O.A.) Those two representations are still to be disposed of. In the representations the applicant submits that he is eligible for the scale of pay of Rs.1350-2200 in terms of the Judgment in O.A.957/90 dated 9-7-1992 on the file of this Bench. The applicant further submits that the respondents have filed a SLP against that Judgment <sup>before</sup> ~~in~~ the Hon'ble Supreme Court and that SLP bearing No.16533/93 was also dismissed. Hence the applicant submits that he is entitled for higher scale of pay from the date of joining in the year 1988 instead of 11.9.1989.

This O.A.,, is filed for granting him the scale of Rs.1350-2200 with effect from the date he joined as Data Entry Operator i.e., with effect from 20-6-1988 instead of 11.9.1989 on par with his counter-parts in other Departments and in accordance with the Judgments of this Tribunal in O.A.957/90 dated 9.7.1992 and O.A.355/96 d/11.3.1996 with all consequential/ benefits.

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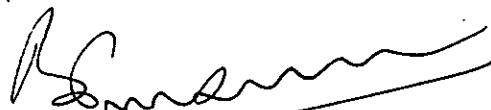
This O.A., is similar to O.A.No.1442/96 which was decided on 3--9--1997 taking into consideration all the contentions raised above.

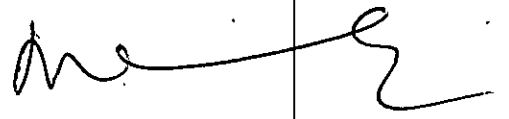
Hence the following direction is given:

- a) The representations of the applicant, referred to above should be disposed of in accordance with the law taking due note of the Judgment in O.A.957/90 and the Order in SLP filed against that judgment.
- b) Time for compliance three months from the date of receipt of a copy of this Judgment.

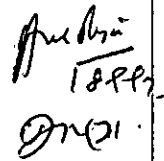
With the above directions, the O.A., is disposed of.

No costs.

  
B.S. JAI PARAMESHWAR  
Member (J)

  
R. RANGARAJAN,  
Member (A)

9.9.97  
Date: September 9, 1997.  
Dictated in open Court.

  
18.9.97  
DND

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DA. 1437/96

1. The Secretary, Ministry of Finance, New Delhi.
2. The Chairman, Central Board of Direct Taxes, Ministry of Finance, Department of Revenue, North Block, New Delhi.
3. The Chief Commissioner of Income Tax, Ayakar Bhavan, Basheer Bagh, Hyd.
4. One copy to J. Sudheer, Advocate, CAT., Hyd.
5. One copy to Mr. V. Bhimaanna, Addl. CGSC., CAT. Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

29/9/97

(7)

TYPED BY  
COMPARED BY

CHECKED 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:

9/10/97

ORDER/JUDGEMENT

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

in

O.A.NO. 1437/86

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLK7

II Court.

