

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

..
O.A.No.1437/96.

Date of decision: September 9, 1997.

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, New Delhi. Respondents.
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

JL

✓

of Finance, Department of Expenditure dated 11-9-1989
(Annexure II to the O.A. Page 16). The applicant sub-
mitted 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 1-10-1995
(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 ^{before} 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.

R

D

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:

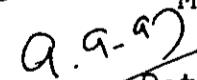
- a) The representations of the applicant referred to above should be disposed of in accordance with the law taking due note of the Judgment in O.A.957/90 and the Order in SLP filed against that judgment.
- b) Time for compliance three months from the date of receipt of a copy of this Judgment.

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

No costs.

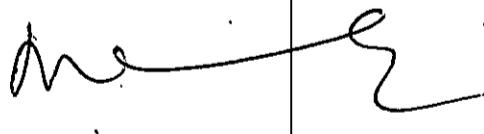

B.S. JAI PARAMESHWAR

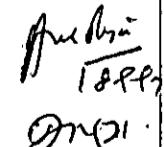
Member (J)


A.G.A

Date: September 9, 1997.

Dictated in open Court.


R. RANGARAJAN,
Member (A)


DRD
18/9/97

sss.

u/g

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.Bhimannna, Addl.CGSC., CAT. Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

Off 29/9/97
17

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: 21/9/97

ORDER/JUDGEMENT

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

in

D.A.NO. 1437/96

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLR

II Court.

