

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.604/96

DATE OF ORDER : 17-09-1998.

Between :-

K.Anjaiah

... Applicant

And

1. The Chief General Manager, Telecom,
AP Circle, Doorsanchar Bhavan,
Nampally Station Road, Hyderabad.
2. The Director General, Telecommunication,
New Delhi.
3. Union of India, rep. by the
Secretary to the Department of
Telecommunications, New Delhi.
4. The Chief Superintendent, Central
Telegraph Office, Hyderabad.

... Respondents

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Counsel for the Applicant : Shri K.Venkateswara Rao

Counsel for the Respondents : Shri V.Rajeswara Rao,CGSC

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CDRAM:

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

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

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



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... 2.



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

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Heard Sri K.Venkateshwar Rao, learned counsel for the applicant and Sri V.Rajeshwar Rao, learned standing counsel for the respondents.

2. The applicant in this OA was appointed as a Telegraphist. One Sri Adam who is reported to be his junior was also appointed as a Telegraphist along with him on the same date. Initially the applicant passed Hindi Telegraphy examination earlier to Sri Adam. Hence his pay was higher than that of Sri Adam. However, Sri Adam also passed Hindi Telegraphy examination much later. At that time on the basis of the pay scales available, pay of Sri Adam was also fixed. Later Sri Adam requested for stepping up of pay with one Sri Rama Krishna N.S. His pay was fixed on 21-11-73. That happened to be higher pay/of the applicant on that date.

3. The applicant has filed this OA to step up his pay on par with Sri Adam.

4. Reply has been filed in this OA. The main contention of the ~~xxx~~ respondents in this OA is that the applicant's pay has been stepped up on the basis of his junior one Sri G.Satyanarayana when he represented for stepping up on par with Sri G.Satyanarayana. In view of the above, the respondents submit that the applicant cannot ask for stepping up of pay for second time with another ~~xxx~~ junior and it is further stated that the stepping up of pay for ^{the} second time is permissible only with the same junior. At the first instance only he should have asked for stepping up of pay on par with Sri Adam only. Hence3.

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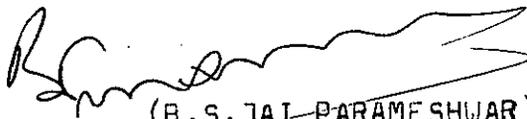
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the O.A. is liable only to be dismissed. Counsel for the applicant submits that when his pay was stepped up on par with Sri Satyanarayana the case of Sri Adam was not decided, which was decided much later and hence his case has to be reconsidered once again.

5. The respondents have quoted the OM of the Govt. of India dt.31-3-84 dt.22-7-85 and 10-7-85 enclosed as Annexures R-1, R-2 and R-3 to state that stepping up of pay for second time is permissible only with same junior. As in this case the stepping up of pay ~~as was~~ asked for for the first time on par with Sri Satyanarayana and for the second time on par with Sri Adam, the same is not permissible.

6. The applicant in this DA has not challenged the letter of Government of India at Annexures R-1, R-2 and R-3. Further we see force in the submission of the respondents.

7. In view of what is stated above, we find no merit in this DA. Hence the same is dismissed. No order as to costs.


(B.S. JAI PARAMESHWAR)
Member (J)
17.9.98


(R. RANGARAJAN)
Member (A)


17.9.98

Dated: 17th September, 1998.
Dictated in Open Court.

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GA.604/96

Copy to:-

1. The Chief General Manager, Telecom, A.P.Circle, Doersanchar Bhavan, Nampally Station Road, Hyderabad.
2. The Director General, Telecommunication, New Delhi.
3. The Secretary to the Department of Telecommunications, New Delhi.
4. The Chief Superintendent, Central Telegraph Office, Hyderabad.
5. One copy to Mr. K.Venkateswara Rao, Advocate, CAT., Hyd.
6. One copy to Mr. V.Rajeswara Rao, Addl.CGSC., CAT., Hyd.
7. One copy to D.R.(A); CAT., Hyd.
8. One duplicate copy.

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23/10/98
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II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 17/10/98

ORDER/JUDGMENT

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

G.A.NO.

ⁱⁿ
604/ab

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal प्रेषण / DESPATCH - 9 OCT 1998 हैदराबाद न्यायपीठ HYDERABAD BENCH
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