

(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.313/97

Date of Order: 16.4.97

BETWEEN:

M.Lakshmipathi

.. Applicant.

AND

1. The Supdt. of Post Offices,
Karimnagar Division, Karimnagar.
2. The Chief Postmaster General, A.P.Circle,
Daksadan, Abids, Hyderabad.
3. The Director General, Dept of Posts,
Dakbhavan, Sansad marg, New Delhi -1. .. Respondents.

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Counsel for the Applicant

.. Mr.Krishna Devan

Counsel for the Respondents

.. Mr.N.R.Devraj

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CORAM:

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

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

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J U D G E M E N T

(Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.))

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Heard Mr.Krishna Devan, learned counsel for the applicant and Mr.N.R.Devraj, learned standing counsel for the respondents.

2. The applicant ^{while} working as Accountant was posted as APM (Accounts) Karimnagar P.O. vide memo No.RDH/ST/8-3/IV, dated 13.2.90. He joined duties on 16.2.90.
3. This OA is filed for a declaration that the applicant is entitled for fixation of his pay under FR 22(c) in the pay in the pay scale of Rs.1400-2300 on his promotion as APM(Accounts)

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Karimnagar on 16.2.90 onwards and to draw the arrears within 2 months from the date of receipt of the judgement.

4. The applicant's counsel states that the OA is squarely covered by the judgement of this Tribunal in OA .1434/93 decided on 5.5.95. The applicant approached this Tribunal on 10.3.97 and hence the arrears has to be regulated from one year prior to filing of this OA.

5. The relief in this OA and the contention in this OA are similar to OA1434/93. Though no reply has been filed in this OA the respondents submit that the reply filed in OA.280/97 will hold good.


6. It is stated, by the learned counsel for the applicant that the applicant was not getting any special pay for performing the duties of APM (Accounts).

7. In view of the above the following direction is given:-

The pay of the applicant is to be fixed notionally under Rule FR 22(c) from the date he had shouldered the responsibility of APM (Accounts). His pay in the promoted grade is to be fixed on that basis. The applicant is entitled for arrears due to the above fixation from one year prior to the filing of this OA i.e. from 10.3.96 (This OA is filed on 10.3.97). Time for compliance is 4 months from the date of communication of this order.

8. The OA is ordered accordingly at the admission stage itself. No costs.


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


(R.RANGARAJAN)
Member (Admn.)

16/4/97
Dated: 16th April, 1997

(Dictated in Open Court)

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Copy to:

1. The Supdt. of Post Offices, Karimnagar Division, Karimnagar.
2. The Chief Postmaster General, A.P.Circle, Chaksadan, Abids, Hyderabad.
3. The Director General, Dept. of Posts, ~~Baksadan~~ Dak Bhavan, Sansad Marg, New Delhi.
4. One copy to Mr.Krishna De van Advocate,CAT,Hyderabad.
5. One copy to Mr.N.R.De raj,Sr.CGSC,CAT,Hyderabad.
6. One copy to D.R(A), CAT,Hyderabad.
7. One duplicate copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED:

16/4/97

ORDER/JUDGEMENT

R.A/C.P/M.A.No.

in

D.A.No. 3/3/97

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS

VLKR

II COURT

