

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

OA 367/97

Date of Decision: 27.3.1997

BETWEEN:

1. Naval Armament Depot Engineering
Supervisors Association,
Visakhapatnam.

2. P. Pallam Raju

.. Applicants

AND

1. The Secretary, Ministry of Defence,
New Delhi.

2. The Chief of Naval Staff,
Naval Headquarters,
New Delhi

3. The Flag Officer Commanding-in-
Chief, Eastern Naval Command,
Visakhapatnam

4. The General Manager,
Naval Armament Depot,
Visakhapatnam.

Counsel for the applicant: Mr. P. Bhaskar

Counsel for the Respondents: Mr. V. Vinod Kumar

CORAM:

THE HON'BLE SRI R. RANGARAJAN: MEMBER (ADMN.)

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

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ORDER

(Per Hon'ble Sri R. Rangarajan: Member (Admn.))

Heard Sri P. Bhaskar learned counsel for the applicant and Sri Vinod Kumar for the respondents.

There are 2 applicants in this OA. The first applicant is the Association of the Naval Armament Depot Engineering Supervisors' Association and applicant No.2 is one of the members of the association. This OA is filed praying for a declaration that there is an anomalous situation existing between employees of the NAD and Ordnance factories and NSDL and for a direction to the respondents to rectify that anomaly in the cadres of Sr. Chargeman (F) and Foreman (F) of NAD with effect from 1.1.1996 with all consequential and attendant benefits.

^{Two} A representations in this connection has^{ve} been filed by the association to R-2 vide representation Dt. December, 1989 (Annexure-1) and 13.1.96 (Annexure-2.) It is stated that these 2 representations are yet to be disposed of. The reliefs asked for relates to 1.1.86. Hence the respondents should also consider in regard to payment if decided in their favour taking into consideration the delay in filing this OA. We leave it to the respondents to ^{take} leave the decision on limitation judiciously. The learned counsel for the applicant submits that similar anomaly has been rectified in the case of NFCL Ordnance factories as can be seen from the annexure at (Ann.VI & VII) respectively. The learned counsel for the applicant further submits that the interest of the applicants herein also may be considered on those lines.

Fixation of scale of pay and related matters are to be decided by an expert committee and the Tribunal cannot give any ^{value} valid judgement in this connection. The V Pay-Commission has already submitted its report. In ^{the} view of the above we feel it fit to remit the case to the respondents to consider the representation if required


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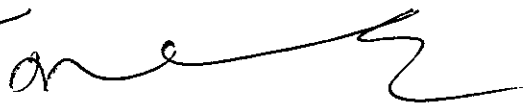
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in consultation with the appropriate authority in this connection and take a final decision in accordance with the circumstances and other matters brought out in the representation.

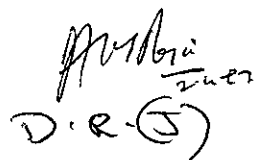
With the above observation the OA is disposed of at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)


(R. RANGARAJAN)
MEMBER (ADMN.)

27/3/97

Date: 27TH MARCH 1997
Dictated in the open court


D.R.(S)

KSM

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Copy to:

1. The Secretary, Min. of Defence, New Delhi.
2. The Chief of Naval Staff, Naval Head Quarters, New Delhi.
3. The Flag Officer, Commanding in Chief,
Eastern Naval Command, Visakhapatnam.
4. The General Manager, Naval Armament Depot,
Visakhapatnam.
5. One copy to Mr. P. Bhaskar, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Vinod Kumar, Addl. CGSC, CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One duplicate copy.

YLKR

25/4/97

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED:

27/3/97

ORDER/JUDGEMENT

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

O.A.No. 367/97ⁱⁿ

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

