

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

..

O.A.No.554/1997.

Date of decision: 17th March, 1999.

Between:

- | | |
|---------------------------|-----------------------------|
| 1. G. Nageswara Rao. | 16. K. R. Chandrasekha Rao. |
| 2. S. A. Azeez. | 17. K. Adinarayana. |
| 3. L. V. Ramana. | 18. D. R. C. M. Raju. |
| 4. J. Suryanarayana. | 19. T. A. Raja Rao. |
| 5. S. G. Jagannadha Rao. | 20. B. Demudu. |
| 6. D. Harinarayana. | 21. M. V. V. Gopal Rao. |
| 7. D. S. N. Murthy. | 22. J. Deluxe. |
| 8. K. Prakash Rao. | 23. M. Appa Rao. |
| 9. S. Tirupathi Rao. | 24. Y. V. Hanumantha Rao. |
| 10. S. Nooka Raju. | 25. D. Yerrakanna. |
| 11. V. Satyamohan Rao. | 26. T. Mohan Rao. |
| 12. D. S. Rama Raju. | 27. J. G. Reddy. |
| 13. D. Suryanarayana. | 28. B. Krishna Rao. |
| 14. Ch. Durga Prasad Rao. | 29. N. V. Narasimha Rao. |
| 15. B. Someswara Rao. | 30. P. Akkunaaidu. |

Applicants.

(Applicant Nos., 18 to 30 deleted as per the orders
in M.A.No.124/97.)

And

1. Union of India represented by the Secretary,
Ministry of Defence, New Delhi -1
2. Scientific Adviser, Ministry of Defence
and Director General, Defence Research and
Development Organisation, Directorate of Personnel,
B. Block, New Delhi-11.
3. Director, Naval Science and Technological
Laboratory, (NSTL) Visakhapatnam. Respondents.

Counsel for the Applicants: Sri S. Lakshma Reddy.

Counsel for the Respondents: Sri V. Rajeswara Rao.

CORAM:

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

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

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JUDGMENT:

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

Heard Sri Lakshma Reddy for the Applicants
and Sri V. Rajeswara Rao for the respondents.

Originally 30 applicants have filed this
O.A. Out of them, Applicant Nos., 18 to 30
were deleted as per Orders in M.A 124/97. The
remaining Applicant Nos., 1 to 17 pray for
setting aside the impugned Order No.96532/LE/ANTO/AD/
Pers-3/1023/D (R&D) dated 20.3.1996 communicated
through O.O.Part-I dated 8.4.1996 of the 3rd res-
pondent to the applicants whereby the benefit of
upgradation of pay scale to Rs.260-400 with effect
from 16.10.1981 was rejected to the applicants
by holding the same as arbitrary, discriminatory,
violative of Articles 14, 16 and 39(1)(d) of the
Constitution of India and for a consequential
directions to the respondents to extend the benefit
of upgradation of pay scale of Rs.260-400 with
effect from 16.10.1981 with all consequential benefits.

The Applicants in this O.A., are Technicians
in the Naval Science and Technological Laboratory
(NSTL FOR short) under Respondent No.3.

Some of the employees of Defence Research and
Development Organisation (DRDO) ~~and are also~~
requested for a similar relief in O.A.270/97.

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That O.A., was disposed of on 3.3.1999, Their request was to grant them the upgradation scale with effect from 16-10-1981. As the Grade-wise system is in existence in DRDO, the benefit cannot be given to them for the reasons stated in the Judgment. The reasons given in that judgment will squarely hold good in this O.A. also.

The learned counsel for the applicants submit that some of the employees belonging to 11 trades were given upgradation and pay scale with effect from 16.10.1981 even in this Organisation. But the details of that benefit of upgradation with effect from 16.10.1981 are not indicated. Though the learned counsel for the applicants requested for further time for furnishing the details in regard to the above contention, We felt that it is not advisable to do^{so} at this stage as the O.A., has been filed much earlier and it is at final disposal stage. However, the applicants are at liberty to initiate such proceedings which they deem fit in regard to the above contention and if they are so advised.

For the reasons stated in the judgment in O.A.270/97 dated 3.3.1999, the applicants are not entitled for the relief asked for as the

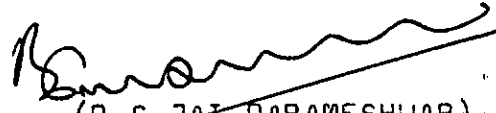


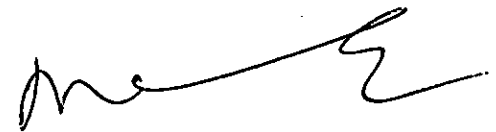

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contentions and the prayer are the same in this O.A.,

As that of the prayer and contentions in O.A.270/97.



Hence this O.A., is liable to be dismissed and the
same is dismissed. No costs.


(B.S. JAI PARAMESHWAR)
Member (J)
17.3.99


(R. RANGARAJAN)
Member (A)

Date: 17th March, 1999.

Dictated in open Court.

sss.

Copy to:

1. HDHND
2. HHRP M(A)
3. HBSJP M(J)
4. D.R.(A)
5. SPARE

IST AND IIND COURT

TYPED BY
COMPARED BY

CHECKED
APPROVED

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD:
MEMBER (A)

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

THE HON'BLE MR. B.S. JAI PARAMESWAR:
MEMBER (J)

DATED: 17-3-99

ORDER/JUDGEMENT

MA./RA./CP. NO.

IN

O.A. NO. 554/1997

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED AS
DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

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