

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 714/97

DATE OF ORDER : 09-06-1997.

Between :-

T.K.Venkataram

... Applicant

And

Union of India rep. by

1. Secretary Min. of Defence,
DHQ PO, New Delhi-110 011.
2. Engineer-in-Chief, Army Head
Quarters, Kashmir House, DHQ PO,
New Delhi -110 011.
3. The Chief Engineer, Southern
Command, Pune-411 001.

... Respondents

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Counsel for the Applicant : Shri K.S.R.Anjaneyulu

Counsel for the Respondents : Shri V.Vinod Kumar, CGSC

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CORAM:

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 Shri KSR Anjaneyulu, counsel for the applicant and Shri V.Vinod Kumar, standing counsel for the respondents.

2. The applicant in this OA was appointed as LDC on 19-3-1943. On 1.1.47 he was Grade-B Clerk. His position was down graded. Hence this petition is filed for the following reliefs :-

- (i) to direct the respondents to classify him as UDC with effect from 1.1.1947;
- (ii) to re-fix his pay in the scale of UDC and grant increments as and when due;
- (iii) to calculate the difference in arrears of pay arising due to re-fixation of pay and pay 60% of the amount to the applicant in terms of the order of the Supreme Court dt.4-11-87 (Annexure-4 to OA) and also as ordered in OA 1037/92 by the Bombay Bench of CAT dt.28-9-95 and 15-4-96 (Annexure-7 to OA) and also in OA 501/93 of Calcutta Bench Judgement dt.3-1-94 and to pay other consequential benefits arising out of the above.

3. The applicant submitted representation on 10-4-96. The learned counsel for the respondents submits that a direction may be given to dispose of the representation in accordance with the judgement of the Bombay Bench of CAT and the Apex Court. However, we feel that as this case is similar to OA 710/97, we follow the same direction and dispose of the same.

4. In view of the above, the OA is disposed of at the admission stage itself directing the respondents to follow the judgement of the Bombay Bench of CAT in OA 1037/92 decided on

(Signature)

(Signature)

(SC)

28-9-95 but the applicant is entitled for arrears only in accordance with the judgement of the Supreme Court dt.4-11-87 in Civil Appeal No.4201/85.

6. No order as to costs.

R.S. (R.S. JAI PARAMESHWAR)

Member (J)

9.6.97

R. (R. RANGARAJAN)

Member (A)

Amrit
Dr. Ranganathan

Dated: 9th June, 1997.

Dictated in Open Court.

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