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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 715/97

DATE OF ORDER : 09-06-1997.

Between :-

T. Satyanarayana

... Applicant

And

Union of India rep. by

1. Secretary - M/o Defence,
DHQ PD, New Delhi 110 011.
2. Engineer-in-Chief, Army Head
Quarters, Kashmir House, DHQ PD,
New Delhi 110 011.
3. The Chief Engineer, Southern Command,
Pune 411 001.

... Respondents

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Counsel for the Applicant : Shri KSR Anjaneyulu

Counsel for the Respondents : Shri K. Ramulu, 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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(Order per Hon'ble Shri R.Rangarajan, member (A)).

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Heard Shri K.R Anjaneyulu, counsel for the applicant and Shri K. Ramulu, xxxxxxxx xxxxx xxxxx counsel for the respondents.

2. The applicant in this OA joined as LDC on 14-7-1945. He was a Grade-3 clerk on 1.1.1947. His prayer is that he should be treated as UDC from 1.1.1947 instead of lowering his status as LDC.


3. The OA 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.

4. The applicant submitted representation on 28-1-97. 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.

5. In view of the above, the UA is disposed of at the admission stage, itself directing the respondents to follow judgement of the Bombay bench of CAT in UA 1037/92 decided on 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. 4201/95.

6. No order as to costs.


(B.S. JAI PRAKASH)
Member (J),
a. b. c.)


(R. RANGARAJAN)
Member (A)

Dated: 9th June, 1997.
Dictated in Open Court.

Handwritten:
Dy. Registrar (3)

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