

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO.729/97

DATE OF ORDER : 16-06-1997.

Between :-

C.V. Gopala Krishna Rao

... Applicant

And

Union of India rep. by

1. Secretary - M/o 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 KSR Anjaneyulu

Counsel for the Respondents : Shri N.V. Raghava Reddy, 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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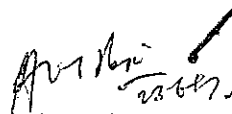
5. In view of the above, the UA is disposed of at the admission stage itself directing the respondents to follow the judgement of the Bombay Bench of CAT in LA 1037/92 decided on 28-9-95 but the applicant is entitled for arrears only in accordance with the judgement of the Supreme Court of 4-11-87 in Civil Appeal No.4201/95.

6. No order as to costs.

  
(B.S. JAI PRAKASH SHARMA)  
Member (J)  
A.6.97

  
(R. BANGARAJAN)  
Member (A)

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

  
D.R. (Judge)

avl/

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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Heard Shri K.R. Anjaneyulu, counsel for the applicant and Shri N.V. Raghava Reddy, ~~standing~~ counsel for the respondents.

2. The applicant in this CA joined as LDC on 25-8-43. 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 CA is filed for the following reliefs :-

- (i) to direct the respondents to classify him as LDC 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.4-1-57 (Annexure-4 to CA) and also as ordered in CA 1037/92 by the Bombay Bench of CAT dt.28-9-95 and 15-4-96 (Annexure-7, to CA) and also in CA 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 20-1-97.

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 CA 710/97, we follow the same direction and dispose of the same.

R

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Copy to:-

1. The Secretary, M/o Defence, Union of India, DHQ PO, New Delhi.
2. Engineer-in- Chief, Army Head Quarters, Kashmir House, DHQ PO, New Delhi.
3. The Chief Engineer, Southern Command, Pune.
4. One copy to Sri. K.S.R.Anjaneyulu, advocate, CAT, Hyd.
5. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

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27/7/97



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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

AND

THE HON'BLE SHRI D.S. JAI PARAMESHWAR: M  
(J)

DATED: 16/6/97

ORDER/JUDGEMENT

M. & R. A. / C. A. No.

23/97

Admission and the directions

Issued.

Allowed

Dismissed or with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II. Court.

