

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

..

O.A.No.1691/1997.

-----

Date of decision: 23rd December, 1997

--

Between:

P.S.Menon.

..

..

Applicant.

and

Union of India represented by:

- 1) The Secretary, Ministry of Defence,  
D.H.O.P.O., New Delhi 110 011.
- 2) Engineer-in-Chief, Army Head Quarters,  
Kashmir House, D.H.O.P.O., New Delhi, 110 011,
- 3) The Chief Engineer, Southern Command,  
Pune, Maharashtra 411 001. .. Respondents.

Counsel for the applicant: Sri K.S.R.Anjaneyulu.

Counsel for the respondents: Sri V.Vinodkumar.

CORAM:

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

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

JUDGMENT.

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

--

Heard Sri K.S.R.Anjaneyulu, for the applicant  
and Sri V.Vinod Kumar for the respondents.

The applicant in this O.A., joined as  
Lower Division Clerk (LDC for short) in the Military  
Engineering Service on 26-2-1943.

R

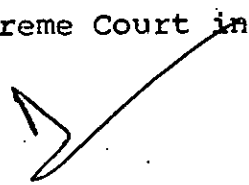
✓



This O.A., is filed (i) to direct the respondents to reclassify him as U.D. with effect from 1-1-1947, (ii) to refix his pay in the scale of UDC and grant him increments as and when due and (iii) to calculate the difference in arrears of pay arising due to the refixation of pay and pay 60% of the amount to the applicant in terms of the Order of the Supreme Court dated 4-11-1987 in Civil Appeal No.4201 and also as ordered by the Bombay Bench of the Central Administrative Tribunal in O.A.No.1037/92 dated 29-9-1995 and 15-4-1996 and also in O.A.No.501/93 of Calcutta Bench of the Central Administrative Tribunal dated 3.1.1994 and to pay other consequential benefits arising out of the above.


Both sides agree that this is a covered case and the orders given in the previous O.A.s, may be given in this O.A. also.

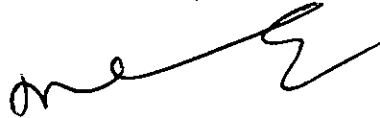
Hence the O.A., is disposed of directing the respondents to follow the judgment of the Bombay Bench of the Central Administrative Tribunal in O.A.No.1037/92 dated 29-9-1995. But the applicant is entitled for arrears only in accordance with the judgment of the Hon'ble Supreme Court in Civil Appeal

R 

No.4201/85 dated 4--11--1987.


The O.A., is ordered accordingly at the admission stage itself. No costs.

  
B.S. JAI PARAMESHWAR,  
Member (J)  
23.12.97

  
R. RANGARAJAN,  
Member (A)

Date: 23--12--1997.  
-----

Dictated in open Court.

  
DR 26/12/97

SSS.

70  
...5...

Copy to:

1. The Secretary, Min.of Defence, D.H.Q.P.O.,  
New Delhi.
2. Engineer-in-Chief, Army Head Quarters, Kashmir House,  
D.H.Q.P.O., New Delhi.
3. The Chief Engineer, Southern Command, Pune,  
Maharashtra.
4. One copy to Mr.K.S.R.Anjaneyulu, Advocate, CAT, Hyderabad.
5. One copy to Mr.V.Vinod Kumar, Addl.CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

2/1/98  
TYPED BY  
COMPILED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

AND

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

Dated: 23/12/92

ORDER / JUDGMENT

MA./R.A./C.A.No.

in

O.A.No. 1691/92

Admitted and Interim Directions  
Issued.

Allowed

Disposed of With Directions

Dismissed

Dismissed as Withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

SRR

II Court

केन्द्रीय प्रशासनिक न्यायिकरण  
Central Administrative Tribunal

प्रेषण / DESPATCH

1 JAN 1990

हयदराबाद न्यायपीठ  
HYDERABAD BENCH