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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 17/7/2000

OA 556/95

1. Sunit Chaturvedi, Clerk Grade-I at Commercial Broadcasting Service, All India Radio, Jaipur.
2. Anant Sharma, Clerk Grade-I, All India Radio, Chittorgarh.

... Applicants

Versus

1. Union of India through Secretary, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi.
2. Station Director, Commercial Broadcasting Service, All India Radio, Jaipur.
3. Station Director, All India Radio, M.I. Road, Jaipur.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.S.BAPU, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.P.P.Mathur, proxy counsel for

Mr.R.N.Mathur

For the Respondents

... Mr.V.S.Gurjar

O R D E R

PER HON'BLE MR.S.BAPU, ADMINISTRATIVE MEMBER

Heard the learned counsel for the parties.

2,. A short point that arises for our consideration in this application is whether the two applicants are entitled to stepping up of their pay at par with that of Shri Sant Lal Rao.

3. The applicants were promoted from Clerk Grade-II to Clerk Grade-I w.e.f. 12.8.88 and 10.2.88 respectively. Their junior, Shri Sant Lal Rao, was promoted later but his pay on promotion was fixed at a higher point than the applicants. Further, it is also stated that the pay of their junior, namely N.S.Rajput, was stepped up to the level of Sant Lal's pay pursuant to an order of the Jodhpur Bench of this Tribunal. Therefore, applicants claim that their pay also should be stepped up.

4. The learned counsel for the applicants relied upon a decision of the Jodhpur Bench of this Tribunal in OA 280/92 dated 1.9.94, in the case of Narendra Singh v. Union of India and others, and the decision of Hon'ble Supreme Court, dated 17.12.96, in the case of Union of India & Ors. v.

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P.Jagdish & Ors., SLJ 1997 (2) 136.

5. We find the pay of Sant Lal Rao came to be fixed up on promotion at a higher level than that of the applicants in spite of his promotion after the applicants because Sant Lal Rao had been promoted on ad hoc basis in the year 1985 itself, before his regular promotion in the year 1989. The date of ad hoc promotion of Sant Lal Rao was much before the date of promotion of the applicants. Therefore, Sant Lal Rao was drawing higher pay than the applicant even prior to the applicants' promotion. Naturally, on regular promotion of Sant Lal Rao his pay was fixed higher than that of the applicants. This situation does not give rise to pay anomaly for which the applicants are entitled to stepping up. This matter stands directly concluded by the decision of the Hon'ble Supreme Court, decided on 12.9.97, Union of India and Another v. R.Swaminathan and Others (1997) 7 SCC 690.

6. For the foregoing reasons, we find no merit in this application. It is, therefore, dismissed. No costs.

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(S.BAPU)

MEMBER (A)

S.K. AGARWAL

(S.K. AGARWAL)

MEMBER (J)