

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BRANCH : JAIPUR

Date of Decision : 17.5.2002

O.A. No. 320/2001.

1. Ram Sukh s/o Shri Kalu Ram by caste Hindu aged about 56 years, resident of Ragaron Ki Kothi, Ghat Gate, Jaipur-3, presently working as TM/O/O PGMTD Jaipur-10.
2. Nanag Ram Mudotia, s/o Shri Gopilal by caste Hindu aged about 40 years, resident of Keshopura, by pass Ajmer Road, Jaipur presently working as T/M in the office of PGMTD Sanganari Gate, Jaipur.

O.A. No. 321/2001.

1. Knyal Chand s/o Nainu Ram by caste Koli of aged about 54 years, r/o Koliya Kothi, Bomioji Ka Mandir ke pass, H. No. 3325, Jaipur-3, presently working T/M in the o/o Principal G.M., Jaipur-10.
2. Sunai Lal s/o Sedu Ram by cast Harijan aged 45 years r/o Balmiki Basti Near Gujar Basti, Nahri Ka Naka, Sector-I, Plot No. 20, Sastri Nagar, Jaipur-16, presently working as T/M in the o/o Principal General Manager, Jaipur-10.

v e r s u s

1. Union of India through the Secretary to the Govt. of India, Department of Telecom, Sanchar Bhawan, New Delhi.
2. Chief General Manager Telecom, Rajasthan Circle, Jaipur-8.
3. Principal General Manager, Telecom, Jaipur District, Jaipur-10.

CORAM

Hon'ble Mr. M. P. Singh, Administrative Member.
Hon'ble Mr. J. K. Kaushik, Judicial Member.

: O R D E R :
(per Hon'ble Mr. J. K. Kaushik)

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The cause of action in both the OAs is based on similar question of facts & law with identical prayer. Thus we are deciding both the OAs through a single order. All the applicants in these OAs have prayed for identical reliefs, which is as under :-

"(i) That by a suitable writ/order or directions, the respondents be directed to allow the pay scale of Rs. 260-350 of Wireman (Revised from time to time) with effect from the date of the appointment with all the consequential benefits including pay fixation and the arrears of Salary alongwith interest.

(ii) Any other relief which the Hon'ble Tribunal deems fit.

2. The brief facts of the cases are that the applicants were appointed in the Department of Posts, Telegraph as Wireman on various dates. They continue to work on the said post in Telecom Department. They have averred that they are entitled for the pay scale of Rs. 260-350 meant for the post of Wireman but have been allowed the pay scale of Rs. 210-270.

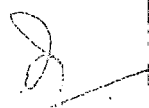
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3. Show cause notices were issued and the respondents have filed a detailed reply and have contraverted the facts and grounds mentioned in the Original Applications.

4. We have heard the learned counsel for the parties and have perused the record of the case.

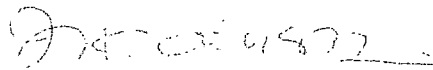
5. At the very outset, Learned counsel for the respondents has drawn our attention to the judgement dated 14.05.2002 passed by this Tribunal in OA No. 218/2001 & Ors. vs. U.O.I. & Ors., in the case of Sahib Singh & Ors. vs. U.O.I. & Ors, in which one of us (J.K. Kaushik) was a party and it has been asserted that the controversy involved in the present OAs is fully covered by the said judgement and does not remain res integra. Learned counsel for the respondents submitted that the judgement is squarely covers the case of the applicants and the case may be decided on the same lines. Learned counsel for the applicant does not dispute the ascertainment made by the Learned counsel for the respondents.

5. In view of the aforesaid, we have no hesitation in holding that controversy in the present cases is fully covered by the aforesaid judgement. Thus we are not inclined to repeat the merits of the case afresh.

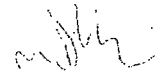


7. Consequently, we follow the decision in OA NO. 218/2001 decided on 14.05.2002, in the case of Sahib Singh & Ans. vs. U. O.I. & Ors. (Supra) and pass the order as under :-

" Seen in all their complexities, both the OAs (OA No. 320/2001 & OA No. 321/2001) are without any merit and the same are hereby dismissed. Parties are left to bear their own costs."

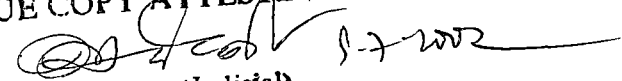


(J. K. KAUSHIK)
MEMBER (J)



(M. P. SINGH)
MEMBER (A)

TRUE COPY ATTESTED


Section Officer (Judicial)
Central Administrative Tribunal
Jaipur Bench, JAIPUR

