

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

DATE OF ORDER: 08.10.2001

OA 327/2001

Lalit Kumar Gupta son of Shri Shiv Prasad Gupta aged about 38 years, resident of P&T Colony, Sawaimadhopur and presently working on the post of Hindi Typist, Office of Superintendent of Post Offices, Sawaimadhopur Postal Division, Sawaimadhopur.

....Applicant.

VERSUS

1. Union of India through its Secretary to the Government of India, Department of Posts, Ministry of Communications, Sanchar Bhawan, New Delhi.
2. Chief Post Master General Rajasthan Circle, Jaipur.
3. Superintendent of Post Offices, Sawaimadhopur Postal Division, Sawaimadhopur.
4. Post Master, Sawaimadhopur, Head Post Office, Sawaimadhopur.

.... Respondents.

Mr. C.B. Sharma, Counsel for the applicant.

Mr. Gaurav Jain, Counsel for the respondents.

CORAM

Hon'ble Mr. Justice B.S. Raikote, Vice-Chairman.
Hon'ble Mr. Gopal Singh, Member (Administrative)

ORDER

PER HON'BLE MR. JUSTICE B.S. RAIKOTE, VICE CHAIRMAN

Applicant was working as Hindi Typist on promotion. After implementation of 5th Pay Commission's Report, the applicant was given the scale of Rs. 4000-6000 but on the basis of letter dated 5.1.99 of the Directorate, the applicant's pay is sought to be reduced from Rs. 4000-6000 to Rs. 3200-4900. By passing the impugned order dated 25.7.2001 (Annexure A-1), the applicant's representation not to reduce the pay scale was rejected. The applicant's grievance is that his pay scale cannot be reduced from Rs. 4000-6000 to Rs. 3200-4900 on the basis of the letter dated 5.1.99 of the Directorate. The learned counsel for the applicant contended that said letter of the Directorate dated 5.1.99 has already been quashed by the Hon'ble Jodhpur bench of the Tribunal in OA No. 20/99, Guru Prasad Dahiya vs. Union of India & Others. Therefore, the applicant is also entitled for the same benefits which the applicant in OA No. 20/99 were given by the Jodhpur Bench. The order dated 21.8.2000 in the said OA No. 20/99 were confirmed by the Hon'ble High Court of Rajasthan vide judgement dated 4.1.2000 in DBCW Petition No. 4830/2000, Union of India vs. Ram Kishan Verma & Another. This position is not disputed by the other side. In the circumstances, by following the judgement/order of the Jodhpur Bench in OA No. 20/99, we think that this OA may also be allowed by granting the same relief. Accordingly we pass order as under:-

Application is allowed. Impugned order dated 25.7.2001 (Annexure A-1) is quashed with the direction to the respondents to restore the pay scale of the applicant. The applicant would continue to draw pay scale of Rs. 4000-6000 and if any, recovery has been made in pursuance of the impugned order dated 25.7.2001 (Annexure A-1), the same will be refunded to the applicant with 12% compound interest. These orders shall be complied with within a period of three months. No costs.

Gopal Singh
(GOPAL SINGH)
MEMBER (A)

BS
(VICE CHAIRMAN)
VICE CHAIRMAN