

05.11.2008

OA No. 306/2007 and OA NO. 471/2007

Mr. Neeraj Batra, Counsel for applicant. (OA No. 306/2007)

Mr. C.B. Sharma, Counsel for applicant (OA No. 471/2007)

Mr. S.S. Hassan, Counsel for respondents.

Heard learned counsel for the applicants.

For the reasons dictated separately, the OA is disposed of.

(B.L. KHATRI)

MEMBER (A)

AHQ

(M.L. CHAUHAN)
MEMBER (B)

original
Judgement
along with O.A.
No. 306/2007
attached.
3
5/11/08
C.D.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 05th November, 2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

1. **ORIGINAL APPLICATION NO. 306/2007**

1. Ramkaran son of Shri Gyarsi Lal serving in the office of the Salt Commissioner, Lavan Bhawan, 2-A, Lavan Marg, Jhallana Doongri, Jaipur.
2. Mohanan V son of Shri V. Kochunny Nambisan serving in the office of the Salt Commissioner, Lavan Bhawan, 2-A, Lavan Marg, Jhallana Doongri, Jaipur.

.....APPLICANTS

(By Advocate: Mr. Neeraj Batra)

VERSUS

1. The Secretary, Ministry of Commerce & Industry, Department of Industrial Policy & Promotion, Udyog Bhawan, New Delhi.
2. The Salt Commissioner, Lavan Bhawan, 2-A, Lavan Marg, Jhallana Doongri, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. S.S. Hassan)

2. **ORIGINAL APPLICATION NO. 471/2007**

A.U. Gopi son of Shri A.S. Unikrishnan aged about 48 years, presently working in the Salt Department, Office of the Deputy Salt Commissioner, Government of India, 4th Floor, Exchange Building, Sir Shivsagar, Ramgulam Marg, Ballard Estate, Mumbai.

....APPLICANT

(By Advocate: Mr. C.B. Sharma)

VERSUS

1. The Secretary, Ministry of Commerce & Industry, Department of Industrial Policy & Promotion, Udyog Bhawan, New Delhi.
2. The Salt Commissioner, Lavan Bhawan, 2-A, Lavan Marg, Jhallana Doongri, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. S.S. Hassan)

ORDER (ORAL)

By this common order, we propose to dispose of both these OA as common question of facts & law is involved.

2. In these OAs, the issue involved is regarding grant of revised pay scale of Rs.5500-175-9000/- to the applicants on the basis that other Stenographers in the Central Secretariat office attached to the Ministry are drawing the same pay scale. For that purpose the applicants have placed reliance on judgement dated 30.03.2001 rendered by this Bench in OA No. 518/99, S. Sridharan & Others vs. Union of India & Others. The applicants have also made a representation, which has also been rejected by the respondents on the ground that judgement rendered by this Tribunal in OA No. 518/99 is under challenge before the Hon'ble High Court in DB Civil Writ Petition No. 5718/2001, as such the applicants cannot be granted the benefit of the aforesaid case till the issue is not decided by the Hon'ble High Court.

3. We have heard the learned counsel for the parties. In view of the fact that applicants are claiming the benefit in view of the judgement rendered by the Tribunal in OA No. 518/99, which judgement is under challenge before the Hon'ble High court and the matter has not been decided so far, we are of the view that no relief can be granted to the applicant. However, we are of the view that these OAs can be disposed of at this stage, instead of keeping these OAs pending, with a direction to the respondents that in case Writ Petition No. 5718/2001 filed before the Hon'ble High Court is dismissed, in that eventuality, the

respondents shall extend the benefit of the judgement dated 30.03.2001 rendered by this Tribunal in OA No. 518/99, S. Sridharan & Others vs. Union of India & Others, within a period of two months from the date of the decision of the Hon'ble High court.

4. With these observations, these OA are disposed of with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ