

# **Central Administrative Tribunal Principal Bench, New Delhi**

O.A. No.4175/2013

Tuesday, this the 9<sup>th</sup> day of April 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. Mohd. Jamshed, Member (A)**

Hardeep Singh  
Assistant Canteen Supervisor – cum – Cashier  
39 Akanksha Apartments, B-9/12  
Sector 62, NOIDA, UP 201307

...Applicant

(Mr. Vinod Zutshi, Advocate)

Versus

1. Secretary, Ministry of Defence  
South Block, New Delhi – 110 001
2. Director General  
Ordnance Services, Sena Bhawan  
New Delhi – 110 001
3. Area Accounts Office (WC)  
Delhi Cantt. Delhi – 110 010
4. Commandant  
Ordnance Depot  
Shakur Basti, Delhi 110 056

...Respondents

(Mr. Y P Singh, Advocate)

## **O R D E R (ORAL)**

**Justice L. Narasimha Reddy:**

The applicant was employed as an Assistant Supervisor in Ordnance Services, the 2<sup>nd</sup> respondent. The pre-revised scale for the post was ₹825-1200. The 5<sup>th</sup> Central Pay Commission (CPC) recommended the revision thereof to ₹3050-4590. The applicant was extended the same. However, he contends that the Ministry of Defence issued a circular dated 26.03.1998, wherein

the recommendations for removal of disparity between the employees of the organized canteens on the one hand and un-organized canteens on the other, and in that view of the matter, he is entitled to put in the revised pay scale of ₹3050-4590. The O.A. is filed with a prayer to direct the respondents to extend him the approved grade of Cashier and consequently, award all the benefits arising out of implementation of the recommendations of 5<sup>th</sup> & 6<sup>th</sup> CPCs. The applicant retired from service.

2. The respondents filed counter affidavit opposing the O.A. According to them, the pre-revised scale of pay of the applicant was ₹825-1200 and its corresponding revised scale is ₹3050-4590, and the same has been extended to him. It is stated that the applicant did not hold the pre-revised scale of ₹950-1500 and the question of extending any revised scale corresponding to that does not arise.

3. We heard Mr. Vinod Zutshi, learned counsel for applicant and Mr. Y P Singh, learned counsel for respondents.

4. The applicant was in the un-revised pay scale of ₹825-1200. The 5<sup>th</sup> CPC recommended and the Government accepted the revised pay scale with ₹3050-4590. It is not disputed that the benefit of that pay scale was extended to the applicant.

5. Just by making a reference to a circular issued by the Ministry of Defence, which provides for removal of disparity

between the employees of organized and un-organized canteens, the applicant is making a claim for higher pay scale. The removal of anomaly does not, by itself, bring about the enhancement of pay scale for the post held by the applicant. It was only meant for extending the benefit of revised pay scale even to the employees of un-organized canteens.

6. We do not find any merit in this O.A. It is accordingly dismissed.

There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**April 9, 2019**  
/sunil/