

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 284/2003

New Delhi, this the 30th day of October, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S. A. Singh, Member (J)

1. K.K. Mittal
(Employee Code 0567)
2. A.N. Aggarwal
(Employee Code 0794)
3. A.S. Negi
(Employee Code 0490)
4. Abha Mathur
(Employee Code 0582)
5. Achanchet Singh
(Employee Code 0850)
6. Aditya Joshi
(Employee Code 1183)
7. Ajay Amankar
(Employee Code 0922)
8. Ajay Kr. Dogra
(Employee Code 0798)
9. Alok Mukherjee
(Employee Code 0539)
10. Amarjeet Singh
(Employee Code 0665)
11. Anand Kumar
(Employee Code 0663)
12. Anil Bist
(Employee Code 1324)
13. Anil Chandani
(Employee Code 1180)
14. Anil Kr. Arora
(Employee Code 0531)
15. Anil Kumar
(Employee Code 1380)

- 16. Anil Kr. Yadav
(Employee Code 0642)
- 17. Anita Aroa
(Employee Code 0595)
- 18. Apinder Pal Singh
(Employee Code 0856)
- 19. Arun B Handoo
(Employee Code 1285)
- 20. Aruna Pahuja
(Employee Code 0666)
- 21. Asho Kohli
(Employee Code 0618)
- 22. Asha Sachdeva
(Employee Code 0590)
- 23. Ashok Kr. Panwar
(Employee Code 0606)
- 24. Ashok Kr. Arora
(Employee Code 0696)
- 25. Ashok Kr. Arya
(Employee Code 0512)
- 26. Ashok Kr. Verma
(Employee Code 1019)
- 27. Ashok Kumar
(Employee Code 0955)
- 28. Atul Bhagat
(Employee Code 1220)
- 29. Avtar Kaur
(Employee Code 0528)
- 30. B.K. Atal
(Employee Code 0906)
- 31. B.K. Chawla
(Employee Code 0499)
- 32. B.N. Lakhanpal
(Employee Code 0450)
- 33. B.S. Adhikari
(Employee Code 0712)
- 34. B.S. Jain
(Employee Code 0545)
- 35. Bachhu Singh
(Employee Code 0752)
- 36. Bajju Kumar K.
(Employee Code 1387)
- 37. Bal Kishan Sharma
(Employee Code 0396)
- 38. Baljinder Kaur
(Employee Code 1210)
- 39. Baljit Kaur
(Employee Code 1193)
- 40. Balwan Singh
(Employee Code 0655)
- 41. Barsati Prasad
(Employee Code 0546)
- 42. Basant Bala
(Employee Code 0581)
- 43. Basanti Bhaumik
(Employee Code 0407)
- 44. B.S. Verma
(Employee Code 0722)
- 45. Bir Singh
(Employee Code 0557)
- 46. Bishan Singh
(Employee Code 0614)
- 47. Brahm Singh Kain
(Employee Code 0861)
- 48. C.K. Gandhi
(Employee Code 0390)
- 49. Chandra Shekhar
(Employee Code 0625)
- 50. C.S. Gupta
(Employee Code 1377)
- 51. Chandrma Ram
(Employee Code 0970)

52.	Chiman Lal (Employee Code 0865)	70.	Gajender Kumar (Employee Code 1235)
53.	D.S. Goel (Employee Code 0452)	71.	Gauri Sivaraman (Employee Code 0640)
54.	D.S. Bist (Employee Code 0671)	72.	Geeta Dutta (Employee Code 1179)
55.	Dalip Kumar (Employee Code 0536)	73.	Girdhari Lal (Employee Code 0728)
56.	Dayanand (Employee Code 0577)	74.	Gurdeep Singh (Employee Code 0477)
57.	Dayanand Dahivya (Employee Code 1078)	75.	Gurpreet Kaur (Employee Code 1187)
58.	Deepa Barua (Employee Code 0901)	76.	Gurvinder Singh (Employee Code 0873)
59.	Devender Kaur (Employee Code 0940)	77.	H.C. Arora (Employee Code 0600)
60.	Devender Kumar (Employee Code 0757)	78.	Harbans Lal (Employee Code 1177)
61.	Devender Kumar (Employee Code 0943)	79.	Harinder Singh (Employee Code 0817)
62.	Devender Singh (Employee Code 0903)	80.	Himanshu Pathak (Employee Code 0884)
63.	Dharam Pal (Employee Code 0706)	81.	Inder Pal Singh (Employee Code 0584)
64.	Dharambir (Employee Code 0480)	82.	Indu Malhotra (Employee Code 0475)
65.	Dali Kumar (Employee Code 1214)	83.	Indu Vij (Employee Code 0517)
66.	G.K. Sharma (Employee Code 0389)	84.	J.C. Sarin (Employee Code 0460)
67.	G.P. Kaithwas (Employee Code 0561)	85.	J.K. Sharma (Employee Code 0601)
68.	G.R.S. Mathur (Employee Code 0622)	86.	J.K. Silpokar (Employee Code 0862)
69.	G.S. Rawat (Employee Code 0670)	87.	J.P. Bihary (Employee Code 1322)

88. J.R. Adhikari
(Employee Code 0797)

89. Jagdish Prasad
(Employee Code 0849)

90. Jai Chand
(Employee Code 0753)

91. Jai Kishor
(Employee Code 0917)

92. John Kujur
(Employee Code 0877)

93. K.K. Kapoor
(Employee Code 0790)

94. K.S. Mehta
(Employee Code 0464)

95. K.S. Rana
(Employee Code 1367)

96. Kamal Sood
(Employee Code 0924)

97. Kamini Mathur
(Employee Code 0532)

98. Kamlesh Chauhan
(Employee Code 0703)

99. Kanchan Chauhan
(Employee Code 0937)

100. K.K. Masiwal
(Employee Code 0726)

101. Kishor Chand
(Employee Code 0771)

102. Krishna
(Employee Code 0470)

103. Krishna Arora
(Employee Code 0520)

104. Kuldeep Kaur
(Employee Code 0534)

105. Kuldip Singh
(Employee Code 0739)

106. Kusum Lata
(Employee Code 0568)

107. Lakhmi Singh
(Employee Code 0741)

108. M. Mathu
(Employee Code 0492)

109. M.N. Bhatnagar
(Employee Code 0543)

110. M.S. Khatri
(Employee Code 0661)

111. Madhu Bala Grover
(Employee Code 0692)

112. Madhu Bata
(Employee Code 0599)

113. Madhu Mathur
(Employee Code 0576)

114. Madhwı Rawat
(Employee Code 0883)

115. Maeo Chand
(Employee Code 0878)

116. Maha Prasad
(Employee Code 0669)

117. Mahesh Chand Lal
(Employee Code 0551)

118. M.K. Sanchdeva
(Employee Code 0598)

119. Mahipal Singh
(Employee Code 1086)

120. Man Singh
(Employee Code 0852)

121. Mangal Sain
(Employee Code 0660)

122. Manju Khanna
(Employee Code 0538)

123. Manju Malhotra
(Employee Code 1219)

124. Manju Sharma
(Employee Code 0932)

125. Manoj Kr. Gupta
(Employee Code 0770)

126. Meenu Malhotra
(Employee Code 0899)

127. Michal James David
(Employee Code 0484)

128. Mohan Chand Jual
(Employee Code 0888)

129. Monica Biswas
(Employee Code 0474)

130. Mool Chand Sharma
(Employee Code 1171)

131. Mukul Gambhir
(Employee Code 0869)

132. N.C. Sharma
(Employee Code 0854)

133. N. Mahesh
(Employee Code 1080)

134. Nanak Chand
(Employee Code 0724)

135. Nandan Singh
(Employee Code 0851)

136. Narayan Dutt
(Employee Code 0876)

137. Narinder Kumar -II
(Employee Code 0602)

138. Naval Kishor
(Employee Code 0737)

139. Navneet Nasa
(Employee Code 0650)

140. Neelam Dutta
(Employee Code 0485)

141. Neelam Rani Sharma
(Employee Code 0710)

142. Neelam Sharma
(Employee Code 0511)

143. Neelima
(Employee Code 0542)

144. Noor Ahmad
(Employee Code 0519)

145. P.L. Verma
(Employee Code 0506)

146. P.S. Chawla
(Employee Code 0386)

147. Pram Jeet Bhatia
(Employee Code 0479)

148. Parimal Dey
(Employee Code 0453)

149. Parveen Kr. Nag
(Employee Code 1249)

150. Poonam Saxena
(Employee Code 0639)

151. Prabha Lal
(Employee Code 0470)

152. Pradeep Kr. Dhuhan
(Employee Code 1523)

153. Pramood Kumar
(Employee Code 1077)

154. Prasant Bhambri
(Employee Code 0855)

155. Pratap Singh
(Employee Code 0942)

156. Prem Chand
(Employee Code 0680)

157. Pushpa Ghugani
(Employee Code 0730)

158. Pushpa Arora
(Employee Code 0461)

159. R.K. Nigam
(Employee Code 0447)

160. R.K. Sachdeva
(Employee Code 0846)

161. R.N. Verma
(Employee Code 0398)

162. R.S. Mehta
(Employee Code 0426)

163. Radha Rani Singhal
(Employee Code 0572)

164. Radhey Krishan
(Employee Code 0863)

165. Rahina Mahendroo
(Employee Code 0872)

166. Raj Kumari
(Employee Code 0727)

167. Raj Pal
(Employee Code 1175)

168. Raj Pal -I
(Employee Code 0813)

169. Raj Pal -II
(Employee Code 0875)

170. Raj Puri
(Employee Code 0742)

171. Raj Singh
(Employee Code 0638)

172. Rajeev Kr. Aery
(Employee Code 1434)

173. Rajeev Sharma-I
(Employee Code 0733)

174. Rajeev Sharma-II
(Employee Code 0848)

175. Rajender Kumar-I
(Employee Code 0931)

176. Rajesh Gulati
(Employee Code 0910)

177. Rajesh Kr. Chauhan
(Employee Code 0793)

178. Rajinder Kumar
(Employee Code 0769)

179. Raju Sharma
(Employee Code 0915)

180. Rakesh Makhija
(Employee Code 0629)

181. Raksha Sharma
(Employee Code 1372)

182. Ram Bharosi
(Employee Code 0687)

183. Ram Dutt
(Employee Code 0904)

184. Ram Kishan
(Employee Code 0427)

185. Ram Lakhan Prasad
(Employee Code 0736)

186. Ram Nath
(Employee Code 0926)

187. Ram Niranjan
(Employee Code 0673)

188. Ram Pal Singh
(Employee Code 0659)

189. Ram Prakash-II
(Employee Code 0946)

190. Ram Roop Ram
(Employee Code 0870)

191. Rambhaj Gupta
(Employee Code 0514)

192. Ramesh Chand
(Employee Code 0404)

193. Ranbir Singh
(Employee Code 0868)

194. Ranveer Singh
(Employee Code 0487)

195. Ratan Singh
(Employee Code 0424)

196. Ranuka Singh
(Employee Code 0455)

197. Rita Bhatnagar
(Employee Code 0455)

198. Romila Xess
(Employee Code 0683)

199. Room Kamal Mehta
(Employee Code 0497)

200. R.S. Pahwa
(Employee Code 0476)

201. Ruben Kujur
(Employee Code 0881)

202. S.C. Mathur
(Employee Code 0571)

203. S.K. Bither
(Employee Code 0574)

204. S.K. Sharma
(Employee Code 0388)

205. S.N. Sharma
(Employee Code 0580)

206. S.P. Singh
(Employee Code 0635)

207. S.S. Nanda
(Employee Code 0691)

208. S.S. Narwal
(Employee Code 0880)

209. S.V. Verma
(Employee Code 0617)

210. Sadhan Saini
(Employee Code 0611)

211. Sameer Jung
(Employee Code 1432)

212. Sandeep Sharma
(Employee Code 1236)

213. Sangeeta Gambhir
(Employee Code 0767)

214. Sangeeta Mahndiratta
(Employee Code 0933)

215. Sanjay Kalia
(Employee Code 1284)

216. Sanjeev Kumar
(Employee Code 1028)

217. Sanjeev Kr. Verma
(Employee Code 1251)

218. Santosh Kujur
(Employee Code 0723)

219. Saroj Jhungan
(Employee Code 0496)

220. Sarojini Verma
(Employee Code 0500)

221. Satbir Singh Balhara
(Employee Code 1174)

222. Satbir Singh-II
(Employee Code 0939)

223. Satish Kr. Ranga
(Employee Code 0658)

224. Satish Kumar
(Employee Code 0918)

225. Satish Kumar
(Employee Code 1243)

226. Satish Kumar
(Employee Code 1218)

227. Satish Salwan
(Employee Code 1368)

228. Satnam Kaur
(Employee Code 0603)

229. Satya Sharma
(Employee Code 0689)

230. Satyajeet Chatterjee
(Employee Code 0950)

231. Sayad Ayub Ali
(Employee Code 0784)

232. Sheema Banerjee
(Employee Code 0456)

233. Seema Chaudhary
(Employee Code 0707)

234. Seema Singhal
(Employee Code 0774)

235. Shakti Raj Sharma
(Employee Code 0668)

236. Shalini Sharma
(Employee Code 0725)

237. Shashi Kant
(Employee Code 0747)

238. Shashi Kumar
(Employee Code 0685)

239. Sanjeev Kumar
(Employee Code 0697)

240. Shyam Lal
(Employee Code 0547)

241. Shyam Sunder
(Employee Code 0841)

242. So Prakash
(Employee Code 0853)

243. Shubhra Gosh
(Employee Code 0612)

244. Sudesh Chawla
(Employee Code 0488)

245. Sudesh Dhawan
(Employee Code 0700)

246. Sudesh Kumar
(Employee Code 0738)

247. Sudhir Pal Singh
(Employee Code 1233)

248. Sugandha Raghvan
(Employee Code 0521)

249. Suman Munshi
(Employee Code 1232)

250. Sundri Swami
(Employee Code 0516)

251. Sangandhir R.
(Employee Code 1213)

252. Sunil Kumar
(Employee Code 1374)

253. Sunita
(Employee Code 0788)

254. Sunita Arora
(Employee Code 0540)

255. Sunita Chopra
(Employee Code 0637)

256. Surajmal-II
(Employee Code 0843)

257. Surender Singh-II
(Employee Code 0779)

258. Suresh Chand Meena
(Employee Code 0766)

259. Suresh Kumar
(Employee Code 0695)

260. Surinder Kumar
(Employee Code 0563)

261. Sushi Sekhri
(Employee Code 0890)

262. Sushila Puri
(Employee Code 0609)

263. Syed Nasir Hasan
(Employee Code 0384)

264. T.K. Saha
(Employee Code 0634)

265. T. Nanda Prasad
(Employee Code 0966)

266. Tapti Pal
(Employee Code 1229)

267. Tri Mohan Kr.
(Employee Code 0489)

268. Tripta Rani
(Employee Code 0679)

269. Udai Vir Sharma
(Employee Code 0559)

270. Ujagar Singh Arora
(Employee Code 0411)

271. Uma Kaushik
(Employee Code 1087)

272. Uma Mittal
(Employee Code 0472)

273. Umesh Kumar
(Employee Code 0750)

274. Umrao Singh
(Employee Code 0624)

275. Upender Kumar
(Employee Code 1082)

276. Veena Pathela
(Employee Code 1428)

277. Vikas Malik
(Employee Code 1365)

278. Vinita
(Employee Code 0808)

279. Vinod Bala
(Employee Code 0676)

280. Vipin Jain
(Employee Code 0947)

281. Virender Kumar-II
(Employee Code 0533)

282. Virender
(Employee Code 0912)

283. V.N. Sharma
(Employee Code 0458)

284. Y.K. Jain
(Employee Code 0537)

285. Yoginder Bist
(Employee Code 0847)

286. Tapti Mitra
(Employee Code 0800)

287. Raj Kumari Gulati
(Employee Code 0524)

288. Rattal Lal
(Employee Code 0585)

289. Amita Khare
(Employee Code 0777)

290. Jai Prakash-II
(Employee Code 0705)

291. Jawahar Lal Singh
(Employee Code 0968)

292. Bhagwat Singh
(Employee Code 0953)

293. Dalai Singh
(Employee Code 0664)

294. B.P. Jain
(Employee Code 0652)

295. Bhanu Goswami
(Employee Code 0553)

296. Mahender Pal Singh
(Employee Code 1089)

297. Ramesh Kumar
(Employee Code 1083)

298. Jai Singh (transferred from MAB)

299. Baldev Raj (transferred from MAB)

300. K.L. Katyal (transferred from MAB)

301. Vidya Devi (transferred from MAB)

302. Raj Rani Sharma (transferred from MAB)

All the 299 applicants are Senior Auditors working in the office of the Director General of Audit, Central Revenues AGCR Building, I.P. Estate, New Delhi-110 002.

Versus

1. Union of India represented by
The Comptroller & Auditor General of India,
New Delhi - 110 002.
2. The Secretary,
Department of Expenditure,
Ministry of Finance, Govt. of India,
North Block,
New Delhi- 110 001.
3. The Secretary,
Department of Personnel & Training,
North Block,
New Delhi - 110 001.
4. The Director General of
Audit, Central Revenues,
AGCR Bldg., I. P. Estate,
New Delhi - 110 002.

... Respondents

(By Advocate: Shri Madhav Panikar)

ORDER (ORAL)

Shri Justice V.S. Aggarwal

By virtue of the present application, applicants, who are Senior Auditors in the Comptroller of Auditor General of India, seek a direction that they are entitled to the revised scale of Rs. 1640-2900/- retrospectively from 1.1.1986. In support of the claim, the applicants have relied upon the decision of the Guwahati Bench of this Tribunal in OA No. 45/92 decided on 2.11.1994 entitled Ranjit Choudhury & Others vs. Union of India & Others and also OA No. 63/97 decided on 14.09.1999 entitled Shri Hironmoy Sen & Ors. vs. Union of India & Ors. besides some other similarly situated persons. The applicants have also placed on the record a copy of the judgement of the Guwahati High Court in Civil Writ Petition 7598/2001 entitled Union of India & Ors. vs. Shri Hironmoy Sen & Others whereby the decision of the Guwahati Bench of this Tribunal had been upheld.



2. Learned counsel for the respondents had drawn our attention to the order passed by the Hon'ble Supreme Court in Special Leave to Appeal (Civil) No. 5803/2003 whereby the following order is purported to have been passed and the operation of decisions mentioned above have been stayed.

"UPON hearing counsel the Court made the following

ORDER

Heard learned counsel for the parties.

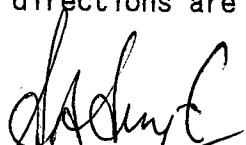
Delay condoned in CC 5803 of 2003.

Leave granted in both the cases.

Printing dispensed with. Original record need not be summoned. Let the appeal be heard on present SLP papers. Six weeks' time is granted to file additional documents, if any.

In the meantime, the operation of the judgement under challenge shall remain stayed, provided the appellants shall continue to give the pay scales as per the letter dated 28th February, 2003."

3. Keeping in view the said fact, we dispose of the present application with the direction that parties shall be bound by the final order that may be ultimately passed by the Hon'ble Supreme Court. No further directions are required to be issued in the matter.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

/na/