

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. No.2697/2003

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This the 5th day of August, 2004

HON'BLE SHRI V.K. MAJOTRA, VICE-CHAIRMAN (A)

HON'BLE SHRI SHANKER RAJU, MEMBER (J)

Raj Kishore, MES No462468 (Blind)
Cane Weaver in the Office of
BSO South under GE (South), Meerut
S/O Shri Desh Raj R/O 256/I, MES Quarters,
West End Road, Near Sadar Police Station,
Meerut Cantt. ... Applicant

(By Shri V.P.S.Tyagi, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of Defence,
South Block, New Delhi.
2. Er. In-C's Branch (EIC-3) AHQ,
Kashmir House, Rajaji Marg,
DHQ PO, New Delhi.
3. Commander Works Engineers,
The Mall, Meerut Cantt.
4. The GE (South),
Meerut Cantt.
5. The BSO (South),
Meerut Cantt. ... Respondents

(By Shri R.V.Sinha for Shri R.N.Singh, Advocate)

ORDER (ORAL)

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)

Applicant who is blind has been working as Cane Weaver (Cane Man) in MES under respondents since 24.6.1986. He was granted pay scale of Rs.800-1150 on his appointment in the trade of Cane Man in 1986. It has been stated on his behalf that while similarly situated persons performing identical nature of duties were accorded re-fixation of pay w.e.f. 1.1.1996 in the analogous scale of Rs.3050-4590, applicant has been denied

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such benefit. Applicant has sought benefit flowing from order dated 15.9.2000 in OA No.804/1998 titled Hari Ram Shukla & Ors. v. Union of India which was disposed of with the following directions to respondents :

"9.to review the matter keeping in view the above observations and provide opportunities to Canemen in their set-up on par with the opportunities available to Canemen in the Indian Railways. They are further directed to ensure compliance within a period of two months from the date of receipt of a copy of this order...."

Tribunal's aforesaid orders were upheld in CWP No.1054/2000 filed by the respondents vide order dated 25.7.2002.

2. Learned counsel of the respondents stated that PT had been allowed without notice to the respondents. PT was allowed vide order dated 7.11.2003 by the Hon'ble Chairman, Central Administrative Tribunal in exercise of his powers under Section 25 of the Administrative Tribunals Act, 1985. We have no jurisdiction to interfere with these orders.

3. The learned counsel of respondents stated that applicant's representation is pending consideration with the respondents. Our attention was also drawn to Annexure R-4 dated 24.4.2003 in which respondents had stated as follows :

"iii) The case for grant of higher pay scale as per CAT Judgement may be considered to bring his pay at par with others."

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4. In view of the fact that respondents are themselves considering applicant's case for grant of higher pay scale as per Tribunal's orders to bring his pay at par with others, this OA is allowed with a direction to the respondents to consider applicant's case within a period of four months from the date of communication of these orders in terms of decision in the case of **Hari Ram Shukla** (supra). No costs.

S.Raju

(Shanker Raju)
Member (A)

/as/

V.K. Majotra

(V.K. Majotra)
Vice-Chairman(A)

5.8.04