

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

WRIT PETITION No.8147 of 2016

Dated: 17.03.2016

Between:

Union of India, rep. by the Secretary to Government of India,
Ministry of Personnel, PG & Pensions,
Department of Personnel & Training,
Shastri Bhavan, New Delhi,
and others.

.. Petitioners

And

Smt. M.Swarnalatha,
Senior Supervisor,
and others.

.. Respondents

Counsel for the Petitioners: Mr. Heeralal for Mr. B.Narayana Reddy
(Assistant Solicitor General)

Counsel for Respondent Nos.1 to 14: Smt. N.S.Lakshmi
for Mr. K.K.Chakravarthy

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This Court made the following:

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ORDER: (Per Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This writ petition is filed for Certiorari to quash order dated 16.10.2015 in O.A.No.958 of 2015 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad.

We have heard the learned counsel for the petitioners and the learned counsel for the respondents.

The respondents have filed the abovementioned O.A with the grievance that although they were placed in the next promotional hierarchy pay scale of Junior Supervisor i.e., Rs.5,000-150-8,000 under the Assured Career Progression Scheme, they were placed in the next higher grade pay at the time of granting financial upgradation under the Modified Assured Career Progression Scheme, instead of next promotional hierarchy grade. Though the petitioners have opposed the relief claimed by the respondents, the Tribunal has allowed the O.A by placing reliance on the judgments of Chandigarh Bench in O.A.No.1038/CH/2010 dated 31.05.2011, O.A.No.1281/CH/2012 dated 09.05.2013 and O.A.No.12/CH/2013 dated 22.05.2013, of Principal Bench in O.A.No.904/2012 dated 26.11.2012, O.A.No.1698/2014 dated 22.05.2014 and O.A.No.2548/2014 dated 31.07.2014, of Ernakulam Bench in O.A.No.816/2012 dated 29.01.2013 and of Guwahati Bench in O.A.No.040/52/2014 dated 25.06.2014.

At the hearing, the learned counsel for the parties submitted that against the judgments in some of the above cases, the petitioners have carried the matter to the Supreme Court and that the same are pending. It is further submitted that in one case, stay was granted by the Supreme Court.

In our opinion, when coordinate Benches have granted final

reliefs to persons, who are similarly placed to that of the respondents, the Tribunal was justified in allowing the O.As filed by the respondents. In this view of the matter, we are not inclined to interfere with the impugned order of the Tribunal.

The writ petition is, accordingly, dismissed. As a sequel to the dismissal of the writ petition, WPMP.No.10333 of 2016 stands disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAISWAL,J

17.03.2016
v v