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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3546/2017

BHARAT SANCHAR NIGAM LIMITED Petitioner

Through: Mr. Alakh Kumar and
Mr.V.M.Srivastava, Advocates

versus

A.K. NAGAR & ANR. Respondents

Through: Mr.Abhishek Khanna, Govt. Pleader
for UOI/R-2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE DEEPA SHARMA

O R D E R

% **02.05.2017**

C.M.15462/2017 (for exemption)

Exemption is allowed subject to just exceptions.

Application stands disposed of.

W.P.(C) 3546/2017 & C.M.15461/2017 (for stay)

1. The Bharat Sanchar Nigam Limited has assailed the order dated 23.07.2016 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A.1226/2010. The Tribunal has allowed the Original Application relying the judgment of the Supreme Court in *Selvaraj vs. Lt.Governor of Island, Port Blair and Others* (1998) 4 SCC 291 and directed the petitioner to grant to the respondent no.1 herein the Higher Administrative Grade (pre-revised 22400-525-24500) with effect from the date of his entitlement i.e. the date from which he actually held the additional duty on the higher

post.

2. Mr.Alakh submits that the petitioner is not assailing the impugned order on its merits. His only submission is that the direction to give to the respondent no.1 the Higher Administrative Grade (pre-revised scale thereof was 22400-525-24500) may need clarification inasmuch as there was no pre-revised scale of 22400-525-24500. According to the petitioner, the respondent no.1 was in the pre-revised Grade E-9 having pre-revised scale of 23750-600-28550 and its corresponding revised IDA scale is 62000-80000 as per the office order dated 05.03.2009.

3. A perusal of the impugned order shows that there is no discussion on the said aspect presumably because the said aspect was not raised before the Tribunal. In these circumstances, we leave it to the petitioner to approach the Tribunal for clarification.

4. Petition along with the pending application stands disposed of in the above terms.

VIPIN SANGHI, J

DEEPA SHARMA, J

MAY 02, 2017

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