

CWP no.8794 of 2016 (O&M) 1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP no.8794 of 2016 (O&M)

Date of Decision : 28.03.2018

Vinit Jain and others

....Petitioner(s)

Versus

Union of India and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJBIR SEHRAWAT**

Present : Mr.Aman Chaudhary, Advocate for the petitioner(s)

Mr. P.S.Kanwar, Advocate for respondent-applicant

MAHESH GROVER, J.(ORAL)

CM no. 4774 CWP of 2018

Allowed as prayed for. Additional affidavit of respondent nos.

1 to 4 alongwith Annexure R-1 are taken on record.

Main case

The petitioner has impugned the order of the Tribunal dated 15.3.2016.

The issue pertains to the fixation of pay which has now been determined by the Hon'ble Supreme Court by holding as below:-

“It is clear that the pay had to be determined by multiplying the existing basic pay as on 1st January, 2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10 in terms of the rule.

The view taken that the multiplying factor is to be applied to the revised pay scale is contrary to the

above rule.

We accordingly hold that under the relevant Rules, the pay-scale is to be determined by multiplying basic pay as on 1st January, 2006 by a factor of 1.86. Thus, the view taken by the Madras Bench of the Central Administrative Tribunal by order dated 7th July, 2015 in O.A No. 310/00173/2014, **R.Karthikeyan & ors vs. Union of India & ors**, is upheld. Even though a writ petition against the said order is said to be pending before the High Court of Madras, since the matter has arisen before us and we have considered the issue, we approve the said view. Contrary view on the subject stands set aside.

The appeals are accordingly allowed. No costs.”

Learned counsel for the parties are ad idem that the present petition deserves to be disposed of in view of the observations of the Hon'ble Supreme Court.

Ordered accordingly.

(Mahesh Grover)
Judge

(Rajbir Sehrawat)
Judge

28.03.2018

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No