

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
अनुसंधान भवन, 2 रफी मार्ग, नई दिल्ली-110001
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110001



No. 5-1(11)/2008-PD

Date: 22.12.2014

From

संयुक्त सचिव (प्रशासन)
Joint Secretary (Admn.)

To,

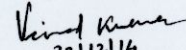
The Directors/Heads of all
National Labs./Instts. of CSIR Hqrs.
/Complex/Centres/Units

Sub: Order dated 30.09.2014 passed by the Hon'ble High Court on WP No. 6771/2014 and Order dated 27.11.2013 passed by the Hon'ble CAT, Principal Bench, New Delhi in the case of Dr. Anang Pal & Ors - Compliance thereof.

Sir,

I am directed to forward herewith a copy each of the Orders dated 27.11.2013 of the Hon'ble CAT, Principal Bench New Delhi and dated 30.09.2014 passed by the Hon'ble High Court of Delhi relating on the above subject for compliance and necessary action. However, these orders shall be applicable in the case of only those Sr. Hindi Officers who were promoted after 30.01.2003 but before 31.12.2005 and were given the pre-revised pay scale of Rs. 8000-13500.

Yours faithfully


22/12/14
(Vinod Kumar)
Under Secretary

Encl. As above.

Copy to:

1. Head, IT Division with the request to make this circular available on the website & Policy Repository.
2. Legal Adviser, CSIR
3. Office copy

(11)

Central Administrative Tribunal
Principal Bench, New Delhi.

OA-2201/2011

Reserved on : 18.11.2013.

Pronounced on : 27. XI. 13

Hon'ble Mr. G. George Paracken, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)

1. Dr. Anang Pal,
S/o Sh. Hari Ram,
R/o 16-B, Main Market,
Madanpur Khadar,
PO:Badarpur,
New Delhi-76.
2. Sh. Rajesh Chander Saxena,
S/o late Sh. K.N. Saxena,
B-17, Shanti Nagar,
CBRI Colony,
Roorkee, UP.
3. Dr. Vijay Narayan Tiwari,
S/o late Sh. R.K. Tiwari,
R/o 2/16, Jankipuram Vistar,
Sitapur Road, Lucknow.
4. Dr. Neeru,
D/o Sh. Tulsi Dass Chugh,
R/o H.No. 518, Sector-10,
Panchkula,
Chandigarh-134 09.

..... Applicants

(through Sh. M.K. Bhardwaj, Advocate)

Versus

1. The joint Secetar (Admn.),
Council of Scientific & Industrial Research,
Anusandhan Bhawan,
2, Rafi Marg, New Delhi-1.
2. The Director General,
Council of Scientific & Industrial Research,
Anusandhan Bhawan,
2, Rafi Marg, New Delhi-1.



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3. The Joint Secretary,
Raj Bhasha Vibhag,
Ministry of Home Affairs,
Department of Official Language,
Lok Nayak Bhawan,
Khan Market,
New Delhi.
4. The Director,
Central Road Research Institute,
Delhi-Mathura Road,
New Delhi-1.
5. The Director,
Central Drug Research Institute,
Chhatar Manzil Palace,
Lucknow.
6. The Director,
Central Scientific Instruments Organization,
Chandigarh.
7. The Director,
Central Building Research Institute,
Roorkee, UP.

....Respondents

(through Sh. Ayushya Kumar, Advocate)

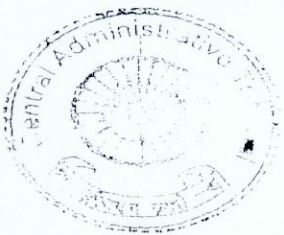
ORDER

Mr. Shekhar Agarwal, Member(A)

Following relief has been sought in this O.A.:-

- "(i) Set aside and quash, Council of Scientific and Industrial Research, New Delhi orders No. 17/92/8/2000-E-II dated 30.01.2003, Annexure-A-1, whereby a pay scale of the post of Senior Hindi Officers, Raj Bhasha Vibhag of the CSIR has been reduced from Rs.10000-Rs.15300 to Rs.8000-Rs.13500.
- (ii) Declare that the action of the Respondent of prescribing two pay scales for the post of Senior Hindi Officer, i.e. those promoted as such prior to 30.01.2003 will continue to draw pay scale Rs.10000-Rs.15200 and those promoted thereafter will draw pay scale of Rs.8000-Rs.13500 is illegal, being full of hostile discrimination and violated of Article 14, 16 and 21 of the Constitution of India in addition to the grounds taken in the foregoing paras.

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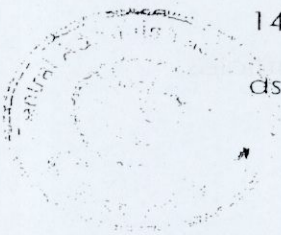
(3)

- (iii) Direct/command the Respondents to stop recovering any alleged excess amount so paid from the monthly salary of the Applicants, vide order dated 25.01.2011, Annexure-A-1, who were in the first instance given the pay scale of Rs.10000-Rs.15200 and later reduced and refund the amount so far recovered from the salary of Dr. Tiwari, Applicant No.3 herein with 24% interest from the date of start of recovery till date of refund."

2. Facts of the case are that the applicants are Senior Hindi Officers working with CSIR, who have been promoted as such during the period 30.01.2003 to 31.12.2005. Senior Hindi Officers were earlier getting pay scale of Rs.8000-13500 in CSIR. On 02.08.2000 the Governing Body of the CSIR in its 148th meeting approved a proposal for increasing this pay scale to Rs.10000-15200 to bring it at par with CSOLS. However, on 30.01.2003 the Governing Body reviewed the position again and decided to reduce the pay scale again to Rs.8000-13500 and ordered recovery of excess amount from the applicants. Thereafter, on the recommendations of VI CPC this scale was again increased to Rs.10000-15200 w.e.f. 01.01.2006. Thus, only those who were promoted as Senior Hindi Officers between the period 30.01.2003 to 31.12.2005 were given the scale of Rs.8000-13500 while those before and after them got the benefit of higher scale of Rs.10000-15200.

2.1 The applicants were promoted as Senior Hindi Officers on different dates. Thus, Dr. Anant Pal (Applicant No.1) was promoted on 31.12.2004, Sh. Rajesh Chander Saxena (Applicant No.2) on 14.02.2004, Dr. Vijay Narayan Tiwari (Applicant No.3) was promoted as Senior Hindi Officer on 21.02.2005 and Dr. Neeru (Applicant No.4)

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was promoted as such on 08.02.2005. According to the applicants they continued to make several representations to the respondents. Their contention was that they were in no way less than the staff of Raj Bhasha Vibhag and therefore deserve the same pay scale as CSOLS. They also contended that the VI CPC had accepted this parity and had granted the same pay scales to them. This fact was also accepted by CSIR in its 148th meeting but subsequently on totally unjustified ground this decision was retracted. However, since they did not get favourable response from the respondents on their representations, they have filed this O.A. before us.

2.2 The applicants have challenged the decision of the respondents, mainly, on the following grounds:-

(i) It is incorrect to say that the post of Senior Hindi Officer in CSIR is an isolated post and therefore not comparable with regular post.

(ii) While withdrawing this scale the respondents did not give any show cause notice and thus have violated the principles of natural justice.

(iii) The respondents have not applied the principle of "equal pay for equal work".

(iv) The respondents have allowed two pay scales for the same post to exist together.

(v) The action of the respondents is in violation of Articles, 14, 16 & 39 (d) of the Constitution.

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(5)

(vi) By their action the respondents have created disparity between the CSOLS cadre and the Senior Hindi Officers of CSI,

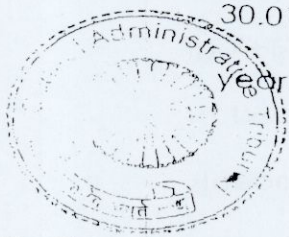
(vii) In the case of **UOI & Ors. Vs. Anil Kumar & Ors.**, (1995(5)SCC 543) it has been held that no Government can resort to actions depriving any section of the service enblock of the benefits granted to them.

(viii) In the case of **P.Savitha & Ors. Vs. UOI & Ors.**, 1985 SCC(L&S) 826) it has been held that persons holding identical posts and discharging similar duties should not be treated differently.

(ix) The applicants have also cited a number of judgments on the point of recovery ordered against them to say that the excess amount paid to them is not on account of any fraud or misrepresentation committed by the applicants and therefore recovery should not be made. Following judgments have been cited:-

- (i) Shyambabu Vs. UOI, 1994 SCC(L&S) 683.
- (ii) Col. B.K. Akara Vs. UOI, 2007(1) SCC (L&S) 529.
- (iii) Syed Abdul Kadir Vs. State of Bihar, 2009(3) SCC 475.
- (iv) Saheb Ram Vs. State of Haryana, 1995 Suppl. 1 SCC.
- (v) State of Bihar & Ors. Vs. Pandey Jagdishwar Prasad, 2009(3) SCC 117.

3. In reply the respondents have stated that the O.A. filed by the applicants is hopelessly barred by limitation inasmuch as the applicants are seeking to challenge a policy decision taken on 30.01.2003. This decision has also been acted upon in the same year. The applicants have failed to explain the delay on day-to-



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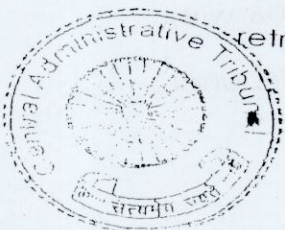
day basis as required under the Limitation Act. They have also not filed any application seeking condonation of delay. Further, the respondents have stated that there was some mistake in the pay fixation of applicant No.2 which the respondents were rectifying by the impugned order dated 25.01.2011. It was a bona fide mistake and did not confer any right on the applicants.

3.1 The respondents have admitted that in its 148th meeting the Governing Body of CSIR had decided to give the pay scale of Rs.10000-15200 to the Senior Hindi Officers of CSIR. However, there were other similar cadres in the CSIR which had not been given this benefit, hence anomalous situation had arisen. Consequently, the respondents constituted Dr. Kishan Lal Committee to review the existing Scheme and enquire into the anomaly in the pay scales. The Committee considered the pay scales given to Raj Bhasha Staff in the CSIR as compared to the Department of Official Language in Government of India and found that in Government of India the official language cadre is an organized one and the promotions in that cadre are vacancy based whereas the Raj Bhasha Cadre in CSIR is an isolated one and there was no similarity amongst the two cadres. The Committee also considered the financial difficulties created by this upgradation of pay scale as other cadres like security officers etc. were aggrieved by the same. Consequently, in 155th Governing Body meeting held on 19.12.2002 the decision of the 148th meeting was reconsidered keeping in view the report of Dr. Kishan Lal Committee. Following this decision the respondents



issued the Memorandum dated 30.01.2003 retaining the pay scale of Rs. 8000-13500 for Senior Hindi Officers with a rider that those promoted between the period 02.08.2000 to 30.01.2003 as Senior Hindi Officers will continue to draw pay in the scale of Rs. 10000-152000. Subsequently, when the Pay Commission recommendations were adopted by the CSIR, the scale of Rs. 15600-39100 with Grade Pay of Rs. 6600 the replacement scale for the Pay Scale of Rs.10000-15200 was adopted.

4. We have considered the submissions of both sides and have perused the material on record.
5. The respondents have first taken preliminary ground of limitation. According to them this O.A. has been filed on 03.06.2011 challenging a policy decision taken on 30.01.2003. Thus, it is hopelessly time barred. The applicants have neither explained the delay nor have they filed any application for condonation of delay. In this regard they have relied on the judgment of Hon'ble Supreme Court in the case of **D.C.S. Negi Vs. UOI**, Special Leave to Appeal (Civil) CC-3709/2011 decided on 11.04.2008 in which it has been held that an application can be admitted only if the Tribunal finds that the same has been made within the prescribed limitation period or sufficient cause is shown for not doing so.
- 5.1 The applicants, on the other hand, have stated that they were promoted as Senior Hindi Officers only in the year 2006 with retrospective effect and could not have come to the Tribunal



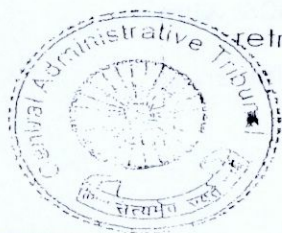
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treated as time barred since it is based on a recurring cause of action."

5.3 Thus the Apex Court has ruled that wrong fixation of pay gives rise to recurring cause of action. In view of the above, we are not inclined to dismiss this O.A. on the ground of limitation. We, therefore, proceed to examine this issue on merits.

5.4 The applicants argued that the respondents by their action have created a situation by which two pay scales have been allowed for the same post. Thus, those who were promoted as Senior Hindi Officers during the period 02.08.2000 to 30.01.2003 were allowed the higher pay scale of Rs.10000-15200. However, those promoted after 30.01.2003 but before 31.12.2005 were allowed the pay scale of Rs.8000-13500. Again those promoted after 01.01.2006 have been allowed Rs.10000-15200. The applicants contended that this is clear violation of principle of 'equal pay for equal work' inasmuch as officers like the applicants who were promoted between 30.01.2003 and 31.12.2005 have been treated differently. They relied on the Apex Court judgment in the case of **UOI Vs. Dineshan K.K.**, (2008) 1 SCC 586, in para-12 of which the following has been laid down:-

"12. The principle of equal pay for equal work has been considered, explained and applied in a catena of decisions of this Court. The doctrine of equal pay for equal work was originally propounded as part of the Directive Principles of the State Policy in Article 39(d) of the Constitution. In **Randhir Singh Vs. Union of India & Ors.**, a bench of three learned Judges of this Court had observed that principle of equal pay for equal work is not a mere demagogic slogan but a constitutional goal, capable of being attained through constitutional remedies and held that this principle had to be

read under Article 14 and 16 of the Constitution. This decision was affirmed by a Constitution Bench of this Court in D.S. Nakara & Ors. Vs. Union of India . Thus, having regard to the constitutional mandate of equality and inhibition against discrimination in Article 14 and 16, in service jurisprudence, the doctrine of equal pay for equal work has assumed status of a fundamental right."

5.5 Further, the applicants have stated that the action of the respondents is in total violation of Article 14 of the Constitution because the respondents by their action have created two classes of Senior Hindi Officers. Since there is no nexus between classification done and the object sought to be achieved, this classification is irrational. In this regard they have relied on the judgment of the Apex Court in the case of **Navneet Lal Manilal Bhat Vs. UOI & Ors.**, 1973(4) SCC 151 in which the following has been held:-

"When once the retirement age of all railway servants was increased to 58 years then the retirement age of only ex-company employees cannot be reduced to 55 because the distinction between the ex-company employees and other railway servants has no connection with the object sought to be achieved. The mere fact that their leave privileges were protected does not make any difference because such leave privileges existed when the retirement age was made uniform."

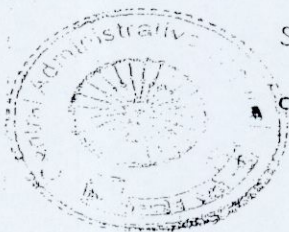
5.6 In our opinion, there is force in the arguments of the applicants. In this the Senior Hindi Officers promoted as such between 30.01.2003 and 31.12.2005 have been granted lower pay scale whereas those promoted before them and those promoted after them have got benefit of higher scale. Thus, the respondents by making distinction on the basis of date of promotion have created two classes of Senior Hindi Officers without any rationale.



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The cut of date of 30.01.2003 is itself arbitrary based on the fortuitous circumstance of the Governing Body meeting being held just prior to that date. While the CSIR were well within their rights to decide whether to grant a particular pay scale to the applicants or not, their action in dividing the Senior Hindi Officer into two classes by allowing those promoted before 30.01.2003 to continue to enjoy the higher pay scale of Rs.10000-15200 is unsustainable.

5.7 The applicants have also prayed that no recovery should be made from them because they were not responsible for the excess payment made to them. They did not commit any fraud or misrepresent the facts in any manner as the decision to grant higher pay scale was the decision of the respondents themselves. On the other hand, the respondents have relied on the judgment of Apex Court in the case of **Chandi Prasad Uniyal and Ors. Vs. State of Uttarakhand and Ors.**, (Civil Appeal No. 5899/2012 decided on 17.08.2012) in which it has been held that excess payment of public money which has often been described as "tax payers money" which belonged neither to officers who had effected over-payment nor that of recipients must be recovered, albeit in easy installments except in cases where such recovery causes extreme hardship. We notice that while delivering this judgment the Apex Court has taken note of three earlier judgments in the case of **Shyam Babu Verma Vs. UOI**, 1994(2)SCC 521, **Sahib Ram Vs. State of Haryana**, 1995 Supp.(1) SCC 18 and **Syed Abdul Qadir and Ors. Vs. State of Bihar and Ors.**, 2009(3) SCC 475 relied upon by the applicants. However,



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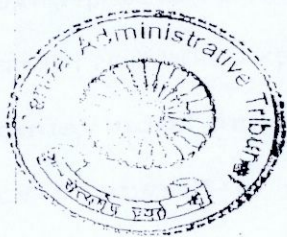
since we have held that the action of the respondents in lowering the pay scale to Rs.8000-13500, itself is unsustainable, the question of making any recovery does not arise.

5.8 In view of the above, we allow this O.A. and quash the Order No. 17/92/8/2000-E.II dated 30.01.2003 by which the pay scale of Senior Hindi Officer has been reduced from Rs. 10000-15200 to Rs. 8000-13500. We direct that Senior Hindi Officers will continue to draw the higher pay scale of Rs.10000-15200 as ordered on 02.08.2000. Further, in view of these directions, the question of making recovery of excess amount from the applicants also would not arise. If any recovery has been made, the same will be paid back to the applicants. However, in view of the facts and circumstances of this case, we are not inclined to allow any interest to the applicants. No costs.

(Shekhar Agarwal)
Member (A)

(G. George Parackal)
Member (J)

/Vinita/



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अनुराग
Section C
केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
प्रधान न्यायापीठ, नई दिल्ली
Principal Branch, New Delhi

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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 30.09.2014

W.P.(C.) No. 6771/2014

Council of Scientific & Industrial Research & Ors. Petitioners

Through: Mr. Ravi Sikri, Senior Advocate with
Mr. Gourav, Advocate

versus

Dr. Anang Pal & Ors

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SRINIVAS BHAT

HON'BLE MR. JUSTICE VIKIN SANGHI

VIPIN SANGHI, J. (OPEN COURT)

1. The Council of Scientific & Industrial Research & Ors. have preferred the present writ petition under Article 226 of the Constitution of India to assail the order dated 27.11.2013 passed by the Central Administrative Tribunal (for short, 'the Tribunal') in O.A. No. 2201/2011 whereby the Tribunal has allowed the said original application and quashed the order dated 30.01.2003 by which the pay scale of Senior Hindi Officers had been reduced from Rs.10000-15200 to Rs.8000-13500. The Tribunal directed that Senior Hindi Officers would continue to draw higher pay scale of Rs.10000-15200 and held that there was no question of making recovery of any excess amount from the respondents-applicants. It was directed that in case recovery had been made, the same shall be paid back to the respondents.

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2. Senior Hindi Officers were earlier getting the pay scale of Rs.8000-13500. On 02.08.2000, in 148th meeting of the governing body of the CSIR, a proposal for increasing the pay scale to Rs.10000-15200 was approved so as to bring the same at par with Central Secretariat Official Language Service (CSOLS). However, on 30.01.2013, the governing body reviewed the position again, and decided to reduce the pay scale of Senior Hindi Officers to Rs.8000-13500 and ordered recovery of excess amounts paid to the respondents. Thereafter, on the recommendations of the Sixth Central Pay Commission, the pay scale was again increased to Rs.10000-15200 with effect from 01.01.2006. Consequently, only those Senior Hindi Officers who had been promoted, as such, between the period 30.01.2003 to 31.12.2005 were given the scale of Rs.8000-13500 while those promoted to the said post before and after this period, got the benefit of the higher pay scale of Rs. 10000-15200. All the respondents-applicants were promoted on dates falling in the aforesaid period i.e. 30.01.2003 to 31.12.2005. The respondents represented against denial of higher pay scale of Rs.10000-15200. They also placed reliance on the Sixth Central Pay Commission report which had granted parity to them with the staff of Raj Bhasha Vibhag, as also the decision of the CSIR in its 148th meeting wherein the CSIR accepted the pay parity. Since the representations of the respondents-applicants did not bear fruit, they preferred the aforesaid original application.

3. The petitioner contested the aforesaid original application primarily on two grounds. Firstly, it was contended that the original application was barred by limitation inasmuch, as, the respondents-applicants were seeking

to challenge a policy decision taken on 30.01.2003, which had been acted upon in the same year. Secondly, the petitioner contended that while in the 148th meeting of the governing body of CSIR it had been decided to give the pay scale of Rs.10000-15200 to Senior Hindi Officers, there were other similar cadres which had not been given this benefit-leading to an anomalous situation. Consequently, the petitioner constituted a Committee of Dr. Kishan Lal to review the existing scheme and examine the anomaly in the pay scales. The Committee considered the pay scale given to Raj Bhasha Staff in the CSIR as compared to the Department of Official Language in Government of India, and found that in the Government of India, the official language cadre is an organized one and the promotions in that cadre are vacancy based, whereas the Raj Bhasha cadre in CSIR is an isolated one and there is no similarity amongst the two cadres. The Committee also considered the financial difficulties created by this upgradation of pay scale as other cadres, such as security officers, were aggrieved by the same. Consequently, the earlier decision was recalled by the governing body in its 155th meeting held on 19.12.2002 and a memorandum dated 30.01.2003 was issued retaining the pay scale of Rs.8000-13500 for Senior Hindi Officers – with the rider that those promoted between the period 02.08.2000 to 30.01.2003 as Senior Hindi Officers, will continue to draw pay in the scale of Rs.10000-15200.

4. The Tribunal rejected the petitioner's objection with regard to limitation by placing reliance on the decision of the Supreme Court in *M.R.Gupta Vs. Union of India* (1995) 5 SCC 628. The Tribunal took note of the fact that the respondents had been promoted as Senior Hindi officers

only in the year 2006 – with retrospective effect and, therefore, they could not have come to the Tribunal before their promotion. Secondly, the grant of pay is a recurring cause of action and, therefore, the original application could not be said to be barred by limitation. Thirdly, the grievance of the respondents¹ arose when the impugned order of recovery was made on 25.01.2011. The original application has been filed on 03.06.2011. Consequently, there was no delay. On merits, the Tribunal observed that Senior Hindi Officers promoted between 30.01.2003 and 31.12.2005 had been granted lower pay scales, when compared to those promoted before or after the intervening period as aforesaid. Thus, the petitioner had sought to make distinction on the basis of dates of promotion, and different class of Senior Hindi Officers were created without any rationale. The classification had no nexus with the objects sought to be achieved. The Tribunal held that the cut-off date of 30.01.2003 itself was arbitrary, based on the fortuitous circumstances of the governing body meeting being held just prior to that date. The Tribunal held:

“While the CSIR were well within their rights to decide whether to grant a particular pay scale to the applicants or not, their action in dividing the Senior Hindi Officer into two classes by allowing those promoted before 30.01.2003 to continue to enjoy the higher pay scale of Rs. 10000-15200 is unsustainable.”

5. The Tribunal also held that the petitioner could not have effected recovery, by placing reliance on the judgment of the Supreme Court in **Chandi Prasad Uniyal and Ors. Vs. State of Uttarakhand and others** (Civil Appeal No. 5899/2012 decided on 17.08.2012) wherein the Supreme Court had held that recovery could not be effected in cases where such recovery

would cause extreme hardship. Since the Tribunal held the action of the petitioner in lowering the pay scale of the respondents to Rs.8000-13500 as unsustainable, obviously recovery could not be made.

6. The submission of learned counsel for the petitioner before us is once again on the same lines as advanced before the Tribunal. Mr. Sikri submits that the original application was barred by limitation since the decision of the governing body to restore the pay scale of Rs.8000-13500 was taken on 30.01.2003 whereas the original application had been preferred only in June, 2011. On merits, he submits that grant of the higher pay scale of Rs.10000-15200 to the respondents, who were appointed between 30.01.2003 and 31.12.2005 would cause financial burden on the petitioner.

7. Having heard learned counsel for the petitioner and perused the impugned order, we are of the view that there is no merit in this petition since there is no error in the impugned order calling for interference by this Court in exercise of its jurisdiction of judicial review. The Tribunal has adequately dealt with the defence of limitation raised by the petitioner. The respondents had been promoted, retrospectively, only in the year 2006. Obviously, there was no question of their assailing the decision of the governing body taken in its meeting held on 30.01.2003 soon after the said decision was made and implemented vide memorandum dated 30.01.2003. Secondly, the recovery was sought to be made only by the order dated 25.01.2011. The cause of action arose in favour of the respondents on the said date and the original application was preferred within five months thereof. Thirdly, as held in *M.R.Gupta's case* (supra), a 'fresh cause of action arises every month when he is paid his monthly salary on the basis of

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a wrong computation made contrary to rules. It is no doubt true that if the appellant's claim is found correct on merits, he would be entitled to be paid according to the properly fixed pay scale in the future and the question of limitation would arise for recovery of the arrears for the past period'. We, therefore, find no merit in the submission of Mr. Sikri that the original application was barred by limitation.

8. On merits, the petitioner could not defend the classification sought to be made amongst the Senior Hindi Officers, on the basis of the dates of promotion, when the respondent maintained the higher pay scale of Rs.10000-15200 in respect of those Senior Hindi Officers who were appointed prior to 02.08.2000 and after 30.01.2003. There was no justification to grant the lower pay scale of Rs.8000-13500 to those promoted in the said period. There is no rational basis for this classification, as all officers in the cadre of Senior Hindi Officers are performing the same functions and discharging the same responsibilities under the same employer. As held by the Tribunal, there is no basis for fixing the cut off dates.

9. Consequently, we find no merit in the present petition and dismiss the same.

VIPIN SANGHI, J.

S. RAVINDRA BHAT, J

SEPTEMBER 30, 2014

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