

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

TA/021/21/2021 (WP.No.12041/2008)

HYDERABAD, this the 20th day of April, 2023



Hon'ble Mr. Sudhi Ranjan Mishra, Judicial Member
Hon'ble Mr. B. Anand, Administrative Member

K. Mallesham, S/o. Late Chandraiah,
Hindu, aged about 59 years,
Ex-Employee of Mineral Exploration
Corporation Ltd.,
R/o. H.No.2-2-29, Plot No.123,
Road No.9, Arunodaya Nagar,
Nagole, Hyderabad – 500 068.

.... Applicant

(By Advocate : Sri T.P. Acharya)

Vs.

1. Mineral Exploration Corporation Ltd. .,
Dr. Baba Saheb Ambedkar Bhavan,
High Land Drive Road, Seminary Hills,
Nagpur – 440 006 rep. by its
Chairman-cum-Managing Director.
2. The Area Manager,
Mineral Exploration Corporation Limited,
G.S.I. Complex, Bandlaguda,
Hyderabad – 500 068.

... Respondents

(By Advocate: Sri M. Srikanth, SC for MECL)

ORAL ORDER
(As per Hon'ble Mr. Sudhi Ranjan Mishra, Judicial Member)



The applicant is the retired employee of the Mineral Exploration Corporation Limited (MECL). He opted for voluntary retirement prior to 01.04.2003. The Government of India, Ministry of Mines, vide letters dt. 08.08.2006 & 17.08.2006, conveyed its approval for implementation of 1997 Wage Revision to the employees of MECL, wherein it has been categorically mentioned that wage revision of employees has to be w.e.f 01.04.2003 and it has to be implemented w.e.f. 01.04.2006. Thereafter, the MECL issued Office Order dt. 25.08.2006 allowing wage revision to those, who were on employment roll on 01.04.2003, as per the Govt. of India letter dt. 17.08.2006. The applicant is seeking the benefit of revised pay scales issued vide Officer Order dt. 25.08.2006 and consequential benefits thereto.

2. The subject matter of this case has been decided by the Hon'ble Supreme Court in the case of ***Mineral Exploration Corporation Ltd. Vs. Arvind Kumar Dixit & Anr. in CA No. 10697 of 2014 & Ors. decided on 03.12.2014*** which held as under:

“15. The above mentioned cases, in our opinion, substantiate the argument of the appellant. Therefore, we are of the view that the Central Administrative Tribunal and the High Court have erred in law in allowing the wage revision benefits to the employees, who were not covered either under communication dated 08.08.2006 issued by the Government of India or the consequential Office Order dt. 25.08.2006 whereby the wage revision is implemented.

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18. In view of the above law laid down by this Court, we do not find that the cut-off date i.e., 01.04.2003 for granting wage revision, in the facts and circumstances of the present case, is arbitrary nor we find it violative of Article 14 of the Constitution.

19. For the reasons, as discussed above, we hold that the employees, who were superannuated or voluntarily retired prior to 01.04.2003 from appellant- Corporation, are not entitled to notional wage revision as directed by the Central Administrative Tribunal, and the High

Court. Therefore, we allow these appeals, and the impugned judgment of the High Court and that of the Central Administrative Tribunal are hereby set aside. There shall be no order as to costs.”

3. In view of the above judgment of the Hon’ble Supreme Court, as the applicant herein retired from service prior to 01.04.2003, neither the benefit of wage revision issued vide Order dt. 25.08.2006 nor the notional wage revision can be extended to the applicant herein. Accordingly, the T.A. is dismissed. There shall be no order as to costs.



(B. ANAND)
ADMINISTRATIVE MEMBER

(SUDHI RANJAN MISHRA)
JUDICIAL MEMBER

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