

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 974 of 1992

Allahabad this the 28th day of February, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

Smt.Ruby Smith Wife of Shri B.R. Smith, aged about 35 years, resident of 190-Dargah Sarif Road, Chunaw, District Mirzapur, presently working as Ticket Collector, N. Railway, Chunaw.

Applicant

By Advocate Shri O.P. Gupta

Versus

1. Assistant Commercial Supdt. N. Railway, Allahabad.
2. Divisional Railway Manager, N. Railway, Allahabad.
3. Union of India through General Manager, N. Railway, Baroda House, New Delhi.

Respondents

By Advocate Shri D.C. Saxena

ORDER (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has moved the Tribunal for a direction to get change her ~~present~~ cadre of Ticket Collector to any other equal in post and also for correction of pay fixation.

2. As per applicant's case, she was appointed as Lady Ticket Collector on compassionate

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ground but during the course of her service, she was served with several charge-sheets of minor penalty and was punished against those charges and, therefore, instead of fighting these casual mishaps in her service, she has prayed for a direction to change the cadre. She has also mentioned that the increment which was withheld as per order dated 10.4.1992, has not been allowed after the expiry of period of punishment and, therefore, she is entitled to re-fixation of her increment.

3. The respondents have contested the case and filed the counter-reply, in which it has been pleaded that change of cadre is not permissible and the re-fixation of pay is not required in view of order withholding the increment in the light of punishment imposed upon her.

4. Heard the learned counsel for the rival contesting parties and perused the record.

5. Learned counsel for the applicant mentions that he is not in touch with the applicant for a good long time and, therefore, he is not in a position to place the arguments with reference to present position.

6. On the perusal of the record, we find that as per rules of the Railway Board, change of cadre is not permissible. Moreover, the respondents

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have made it clear in their counter-reply that no re-fixation of pay is warranted in the matter. Therefore, we find that the O.A. has no merit for consideration. Hence, dismissed. There will be no order as to costs.

W.M.
Member (A)

S. M. M.
Member (J)

/M.M./