

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALAHABAD BENCH, ALAHABAD**

Allahabad, this the **01st** day of **September, 2015**

Present :

**Hon'ble Mr. Shashi Prakash, Member-A**  
**Hon'ble Dr. Murtaza Ali, Member-J**

O.A. No. 680/2007

1. Chandra Shekhar, aged 48 years,  
Son of Shri Ram Das, Resident of Police Station,  
Chavni Campus, Kacchi Kothari, Cantonment,  
Kanpur Nagar

.....Applicant.

By Advocate – Shri R.K. Awasthi

**VERSUS**

1. Union of India through its General Manager, N.C.R.  
Headquarters, Allahabad.
2. Mandal Rail Prabandhak, North-Central Railway,  
Allahabad.
3. Deputy Chief Executive Engineer, Pul Line,  
North-Central Railway, Allahabad.
4. Executive Engineer, Pul Line, North-Central  
Railway, Allahabad.

.....Respondents.

By Advocate : Shri R.K. Srivastava

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## ORDER

**By Hon'ble Shashi Prakash, Member-A :**

Shri Sushil proxy counsel for Shri R.K. Awasthi counsel for the applicant and Shri Dharmendra Tiwari proxy counsel for Shri R.K. Srivastava counsel for the respondents are present.

2. By instituting this O.A., the applicant has prayed for quashing the order dated 23.12.2004, imposing the punishment of reduction in his pay scale from 2650-4000 to 2550-3200 for a period of five years.
3. The relevant facts of the O.A. are that the applicant who was working as Helper Grade-I was suspended on 01.10.2002 and charge sheeted on 09.10.2002. After completion of the disciplinary proceedings the applicant was removed from services by order of the disciplinary authority dated 12.05.2004. The applicant filed an appeal on 10.06.2014, wherein after consideration of the facts and circumstances the appellate authority reduced the punishment imposed on the applicant from removal from services to reduction of pay from 2650-4000 to 2550-3200

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for a period of sixty months. This order was to take effect from 06.12.2004.

4. Counsel for the applicant submitted that that the applicant is continued to be paid the salary in the reduced pay scale till date and that the limited prayer of the applicant at this stage is that his pay scale should be restored which was prevailing before the imposition of the punishment of reduction in his pay scale.
5. Proxy counsel for the respondents did not raise any objection to the limited prayer made by the counsel for the applicant.
6. Heard counsel for both the parties.
7. I have perused the impugned order dated 23.12.2004 by which the punishment imposed on the applicant was reducing of his pay scale from 2650-4000 to 2550-3200 w.e.f. 16.12.2004 for a period of 60 months. It is clear from this order that the punishment of reduction of the pay of the applicant was only for a period of 60 months and thereafter as per the rules his pay should have been restored to his original scale of 2650-4000. By not doing so

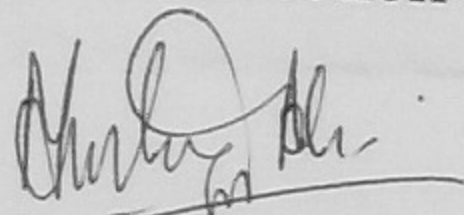
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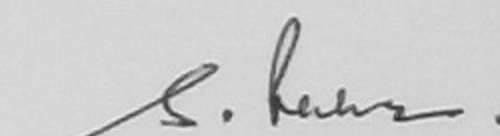


the respondents have denied the benefit which was due to the applicant.

8. In view of this clear position, it is directed that the respondents should restore the original pay scale of the applicant of 2650-4000 after expiry of sixty months reckoned from 16.12.2004. His pay should not only be restored but the arrears due to him on account of the restoration of his pay scale to the original scale should also be calculated and paid to the applicant with an interest of 8% and the order should be complied within a period of 3 months from the date of receipt of certified copy of this order.

9. With the above direction the O.A. is disposed of.

  
Member-J

  
Member-A

Arun/