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All India Station Masters Association, through The President & Secretary, Shri S.D. Vyas & C.P. Jadhav having their office at a residence of Asstt. Station Master, Vatva, W.Rly., District Ahmedabad.

.. Applicant

(Advocate - Mr. J.C. Sheth)

Versus

1. Union of India, through General Manager, W.Rly., Churchgate, Bombay.
2. Divisional Rly. Manager, W.Rly., Baroda Division, Pratapnagar, Baroda.
3. The Railway Board, having its office at Rail Bhavan, New Delhi.

.. Respondents

(Advocate - Mr. N.S. Shevde)

CORAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman

Hon'ble Mr. P.M. Joshi .. Judicial Member

O R A L - O R D E R

10.07.1989.

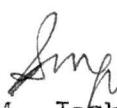
Per : Hon'ble Mr. P.H. Trivedi .. Vice Chairman

Heard learned advocates Mr. J.C. Sheth and Mr. N.S. Shevde for the petitioner and respondents respectively. The petitioner's grievance is that the benefits are not allowed to the petitioners with effect from 30.9.1983 and have sought direction that such benefits be given to them from 30.9.1983 and not from 16.6.1986 as has been done by the respondents. In fact, the orders have been passed which ^{is} annexed at 'G' dated 16.6.1986 in which by a speaking order, the grievance of the petitioners has been examined in detail and it is clearly stated that all eligible staff have been given promotion against upgraded post with retrospective effect ^{exception} with extension stated in the speaking order, and how such ^{exception} extension has been dealt with in accordance

with the instruction governing them. We find that the petitioners have come up to us as an organisation and we have decided to hear their cause on merits by the nature of the applicants have ^{inv} chosen to come in an association capacity. Their cause can only be examined in terms of the principles governing the speaking order. We do not find that the speaking order is faulted in any manner and therefore, ^{are} we satisfied that such speaking order now do not yield any cause to the petitioner. However, it is to be observed that if any individual member of the association or Railway servant has any cause in terms of the speaking orders on fact or rule, he is at liberty to make a separate application to the Tribunal. So far as this application is concerned we do not find any justification in granting any relief to the petitioners.

Accordingly, this petition is found to have no merits subject to the observation made above and is disposed of with no order as to costs.


(P.H. Trivedi)
Vice Chairman


(P.M. Joshi)
Judicial Member

*Mogera