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CORAM : HON'BLE MR. P.M. JOSHI : JUDICIAL MEMBER

27/10/1987

ORAL ORDER


Heard Mr M M Xavier (learned advocate) for the petitioners.
In this application filed under Section 19 of the Administrative Tribunals Act, 1985 the present 4 petitioners are serving as 'Metre Readers' Gr.I in the scale of Rs.380-560 (R). They have challenged the validity of the instructions contained in letter dated 25-8-1987 issued by the Divisional Railway Manager, whereby he has directed the senior electrical foreman of different untis including Bhavnagar and Jetalsar that the work of reading the metre should be taken from the employees working as skilled Gr.III, who, in his opinion, are literate and suitable. The petitioners have therefore, prayed that the impugned letter of the respondent be declared illegal and the same may be quashed ^{as} it is likely to affect their services. They have also prayed that they should be allowed to continue to work as metre readers.

The main grievance of the petitioners, is that this action is being taken at the instance of the pressure of the Union and adversely affects the terms and conditions of the services of the applicant. Mr. R.M. Vin learned counsel appearing for the respondent No. 1 & 2, has opposed the admission, on the ground inter alia that the instructions contained in the impugned letter dt. 25-8-1987 do not adversely affect interest of the applicants inasmuch as it does not cause any reduction in the rank i.e. either reversion or termination or removal.

On perusal of the letter dated 25-8-1987, it is quite obvious that it is an internal correspondance wherein the superior officer has passed advice to its inferior officers. No final order seems to have been passed by the respondents adversely

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affecting the service conditions of the petitioners either reducing the salary or their status. It is conceded that the petitioners are up-graded and the respondents are entitled to take suitable work from them consistent with the scale of pay and the cadre to which they belong. So far, no final decision has been taken, on any orders are issued or served upon the applicants which may give them any cause of action. The applicants are free to approach Tribunal in case any such orders are served upon them in future. At this stage, the application does not disclose any cause of action or in other words, any grievance, which can be redressed. The application merits no consideration and hence the same stands rejected, at the admission stage.


(P.M. JOSHI)
JUDICIAL MEMBER