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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 233 of 2003

Jodhpur, this the 11th day of August, 2005

CORAM:

HON'BLE MR.J.K.KAUSHIK, JUDICIAL MEMBER

HON'BLE MR. G.R. PATWARDHAN, ADMINISTRATIVE MEMBER

Bhora Ram S/o Shri Hukma Ram Ji Prajapat, aged 46 years, C/o J.E.E., North West Railway, Suratgarh, District, Sri Ganganagar, Official Address: Working as T.L.F., J.E.E., North West Railway, Suratgarh, District Sri Ganganagar.

..... Applicant.

Mr. R.S. Saluja, counsel for the applicant

VERSUS

1. Union of India through the General Manager, North West Railway, Jaipur.
2. The Divisional Personnel Officer, North West Railway, Bikaner.
3. The J.E.E., Light (Train Light), North West Railway, Suratgarh, District Sri Ganganagar.

.... Respondents.

Mr. K.K. Vyas, counsel for the respondents.

ORDER (ORAL)

At the very outset, the attention of both the learned counsel for the parties was invited to page 17 of paper book i.e. internal page 3 of the impugned order Annexure A/1 and a close analysis of this chart indicates that there is no difference between the fixation done earlier and the fixation done now after rectification of errors. Even as on 01.08.2002, the applicant had drawn the pay @ Rs. 3650/- and the amount, which is said to be now revised, is also Rs. 3650/-; rather the date of the increment of the applicant is preponed inasmuch as the date of increment

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earlier was 1st August and now it is 1st January. Thus, the applicant seems to be the gainer instead of the loser. Therefore, there is no question of any recovery. Further from a perusal of the aforesaid portion of the order it is clear that there has been no dispute regarding the factual aspect of the matter. In this view of the matter, the impugned order is not an order adversely affecting the applicant in any manner. None of the learned counsel had anything to say.



In the premises, we find that there is no case or dispute for adjudication by this Bench of the Tribunal. Further once the applicant is getting the same pay from an earlier date, the question of any recovery does not arise at all. Therefore, the very Original Application is misconceived and stands dismissed, accordingly, with no order as to costs.

(G R PATWARDHAN)
Administrative Member

(J.K.KAUSHIK)
Judl. Member

Kumawat

Revised Copy
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12/1/05
(SHARWAN SINGH)
Revised copy
12/1/05
18/8/05

Part II and III destroyed
in my presence on 17-1-14
under the supervision of
section officer (1) as per
order dated 18/1/13

Section officer (Record)