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CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH: JODHPUR

ORIGINAL APPLICATION NO. 31/2009

Date of order: 22.07.2011

CORAM:

HON'BLE DR. K.B.SURESH, JUDICIAL MEMBER

HON'BLE MR. SUDHIR KUMAR, ADMINISTRATIVE MEMBER

Gulam Rasul S/o Shri Sada Khan

R/o Ward No. 21, Purana Bazar

Kasaion Ka Mohalla, Suratgarh, Distt. Sriganganagar

Ex. Khalasi under SSE (W), NWR

Suratgarh.

APPLICANT

VERSUS

- 1- The Union of India through the General Manager, NWR, Jaipur.
- 2- The Divisional Railway Manager, NWR, Bikaner.
- 3- The Divisional Engineer, NWR, Bikaner.
- 4- The Assistant Divisional Engineer-II, NWR, Hanumangarh Jn.

RESPONDENTS

Mr. S.K. Malik, for applicant.

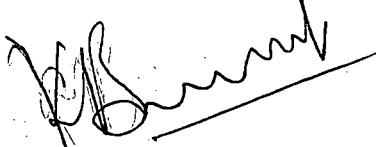
Mr. Salil Trivedi, for respondents.

ORDER (Oral)

(Per Dr. K.B. Suresh, Judicial Member)

Heard both the counsels.

2. As per the direction of Industrial Tribunal, a Single Bench of the Hon'ble High Court as also Division Bench of the Hon'ble High Court the pay fixation of applicant was made and intimated to him vide order dated 14.08.2008 (Annex.A/5) but, the respondents would say that thereafter they have passed the orders Annexs. R/1, R/2

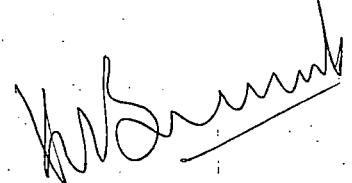


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and R/3 and the applicant challenges it. We are not inclined to recalculate and re-compute but we declare that the sum and substance of the orders of these three authorities are outcome of the services of the applicant and the applicant had to be reinstated back in service. It would appear that applicant was terminated on 5.9.1981. Therefore on his reinstatement fresh computation of pay fixation is to be made and it must be made with regard to the pay scale as ~~fix~~ existed on the date of his termination. With this sole declaration, we direct the respondents to re-compute if necessary on the basis of Annexs. A/5 and R/2, the pay of the applicant within two months next and inform the applicant accordingly. If any arrears are to be made it may be paid in another two months' time.

3. No costs.

  
(Sudhir Kumar)  
Administrative Member

  
(Dr. K.B. Suresh)  
Judicial Member

Jrm