

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.428/05

Wednesday this the 4th day of April 2007

C O R A M :

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE DR.K.B.S.RAJAN, JUDICIAL MEMBER**

G.Balakrishnan,
S/o.late Gopalan,
Retired Works Mate,
O/o. Executive Engineer,
Southern Railway/Construction/Trivandrum.
Residing at No.T.C./34/1277,
Near Bakta Bavan, Opposite Railway Cabin,
Saw Mill Road, Koorkancheri P.O., Trichur – 7.

...Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by the General Manager,
Southern Railway, Headquarters Office,
Park Town P.O., Chennai – 3.
2. The Chief Engineer,
Construction Southern Railway,
Egmore, Chennai – 8.
3. The Executive Engineer,
Construction Southern Railway, Trivandrum.
4. The Senior Divisional Personnel Officer,
Southern Railway, Palghat Division, Palghat.

...Respondents

(By Advocate Mr.Thomas Mathew Nellimoottil)

This application having been heard on 4th April 2007 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

As per the order dated 19.3.2007 Shri.C.K.Varghese, Executive Engineer/Headquarters, Construction, Trivandrum, Shri.C.Vijayakumar, Personal Inspector, O/o. Deputy Personal Officer, Construction, Chennai, Egmore and Shri.K.V.Unnikrishnan Nair, Head Clerk, O/o. Deputy Chief

Engineer, Construction, Southern Railway, Trivandrum have attended the Court today and clarified the discrepancies which were detected at the time of the perusal of the service book. They have also shown us other service records in which pages of different colour have been used and clarified that registers were being supplied from the source as such. They have provided good assistance to us in resolving the doubts in our mind. We have also heard the counsel on both the sides and again perused the records. After hearing the arguments and perusal of the records, the counsel for the applicant fairly submitted that his prayer for retrospective promotion from 1998 would not hold good in the light of the records now produced which were not available at the time of filing the application. The only question now remaining open is about the payment of Rs.4323/- towards arrears of pay and allowances for the period from 1.1.2000 which according to the respondents has been paid in October/November 2002 and for which they have also produced the extract of the Service Register Annexure R-4(2). Since Annexure R-4 states that the amounts were only passed for payment and the reply statement of the respondents reflects the stand that it has been paid which is also now confirmed by the counsel and the officers present, the applicant's counsel has entertained the doubt. We would therefore direct the respondents to verify the date of payment once again and inform the same to applicant which may be done within a period of two months. If on any count the amount has not been paid it shall be paid within the above time limit. With these directions the O.A is closed.

(Dated the 4th day of April 2007)


K.B.S. RAJAN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN