

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.443/04

Tuesday this the 21st day of September 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

H.M.Sivakumar,
S/o.Maruthappa,
Lab Superintendent Gr.III,
Railway Hospital (Southern Railway),
Erode.

Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by
the General Manager,
Southern Railway, Head Quarters Office,
Park Town P.O., Chennai - 3.
2. The Chief Personnel Officer,
Southern Railway, Head Quarters Office,
Park Town P.O., Chennai - 3.
3. The Chief Medical Director,
Southern Railway, Moore Market Complex,
Chennai - 3.
4. The Senior Divisional Personnel Officer,
Southern Railway, Palghat Division,
Palghat.

Respondents

(By Advocate Mrs.Sumathi Dandapani)

This application having been heard on 21st September 2004
the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

The applicant has filed this application seeking the
following reliefs :

- a. declare that the applicant is entitled to have the benefit of the scale of pay of Rs.5000-8000/- granted by Annexure A-2 restored in the light of Annexure A-6 and also Annexure A-5 and Annexure A-7.
- b. and direct the respondents to grant all consequential benefits including arrears of pay and allowances, within a time limit as may be found just and proper by this Hon'ble Tribunal.
- c. award costs of and incidental to this application.

d. pass such other orders or directions as deemed just fit and necessary in the facts and circumstances of the case.

2. The respondents have filed a reply statement indicating that the disputed matter having been reconsidered it has been decided to grant the pay scale of Rs.5000-8000/- to the applicant with effect from 15.4.1999 and accordingly order in that regard (Annexure R-1) has already been issued and that therefore the O.A. has become infructuous.

3. We have heard the learned counsel on either side. We find that the substantial relief sought in the application has been granted by Annexure R-1 order and what remain is the consequential benefits, namely, disbursement of arrears resulting therefrom. The O.A. is therefore disposed of with a direction to the respondents to grant the applicant consequential benefits including arrears of pay and allowances within a period of three months from the date of receipt of a copy of this order. No order as to costs.

(Dated the 21st day of September 2004)

K. B. D.

H.P.DAS
ADMINISTRATIVE MEMBER

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A.V. HARIDASAN
VICE CHAIRMAN