

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.NO. 503/2005

Tuesday, this the 19th day of July, 2005.

CORAM :

**HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

P.T.Saji
Asst.Loco Pilot
Southern Railway, Quilon
Residing at Chithira Bhawan
Madappally P.O
Kottayam – 686 546 : **Applicant**

[By Advocate Mr.M.P.Varkey]

Versus

1. Union of India represented by
General Manager
Southern Railway
Chennai – 600 003
2. Senior Divisional Personnel Officer
Southern Railway
Trivandrum – 695 014 : **Respondents.**

[By Advocate Mr. K.M.Anthru]

The application having been heard on 19.07.2005, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant was appointed as Diesel Assistant in Madras Division of Southern Railway in the scale of Rs.950-1500 / 3050-4590. The applicant applied for inter divisional transfer to Trivandrum Division and promoted as Diesel Assistant in the scale of pay of Rs.4000-6000 under cadre restructuring fixing his pay at Rs.4200/- from 01.03.2001. He was absorbed as Diesel Assistant in the scale of pay of Rs.3050-4500 in Trivandrum Division and his pay was fixed at Rs.3425/- as per Annexure A-1. The applicant came across Annexure A-2 letter and Annexure A-3 representation against non protection of his pay aggrieved by

the same the applicant has filed this Original Application seeking the following reliefs :-

- (i) Direct the respondents to re-fix the applicant's pay in terms of Annexure A-2 and A-4; or in the alternative
- (ii) Direct the 2nd respondent to dispose of A-3 representation in the light of Annexure A-2 letter and A-4 rules and advise accordingly within a time frame.
- (iii) Pass such other orders or directions as deemed just, fit and necessary.

2. Shri M.P.Varkey appeared for the applicant and Shri K.M.Anthru appeared for the respondents. The contention of the applicant is that he is entitled to get the benefit of Annexure A-2 letter and A-4 rules. He also submitted that the Annexure A-3 representation is pending consideration under the 2nd respondent and he will be satisfied if such a direction is given to the 2nd respondent to dispose of the same within a time frame. The learned counsel for respondents submitted that he has no objection in adopting such a course of action.

3. In the interest of justice, the 2nd respondent shall consider and dispose of Annexure A-3 representation within a time frame in the light of Annexure A-2 and A-4 and dispose of the same within a time frame of three months from the receipt of a copy of this order and communicate the same to the applicant.

4. The Original Application is disposed of at the admission stage itself as above in the circumstances no order as to costs.

Dated, the 19th July, 2005.


N. RAMAKRISHNAN

ADMINISTRATIVE MEMBER


K.V. SACHIDANANDAN

JUDICIAL MEMBER

vs

