

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.516/2002

CORAM Wednesday this the 7th day of August, 2002

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

V.Sasidharan,
Server, Venad Parasuram Express,
Southern Railway, Thiruvananthapuram.
residing at STS Bhavan,
Chindranalloor, Peroor PO
Via.Kilimanoor,
Thiruvananthapuram.

..Applicant

(By Advocate Mr. Vadakara VVN Menon)

V.

1. Union of India, represented by
the General Manager,
Southern Railway, Headquarter
Office, Chennai.3.
2. Divisional Railway Manager,
Southern Railway,
Thiruvananthapuram.14.
3. Senior Divisional Personnel Officer,
Southern Railway,
Thiruvananthapuram.
4. The Senior Divisional Commercial Manager,
Southern Railway,
Thiruvananthapuram. ..Respondents

(By Advocate Mrs.Rajeswari Krishnan)

The application having been heard on 7.8.2002, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant who has been working as Server
from 6.4.79 is aggrieved that he has not been given the
financial upgradation under the ACP Scheme although such
benefits have been given to persons similarly situated.
His representation in that behalf Annexures.A5 and A6 are
pending. Therefore, the applicant has filed this
application for a declaration that he is entitled to get
the Ist financial upgradation as per Annexure.A4 with
retrospective effect from 1.10.1999 as was given to

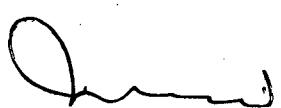
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similarly situated employees like Shri P.Dasan, Shri K.K.Parthan and Shri P.P.Varghese with consequential benefits and interest at the rate of 18% per annum from 1.10.99. He has also prayed in the alternative that the third respondent may be directed to dispose of Annexures.A5 and A6 representations forthwith.

2. Smt.Rajeswari Krishnan took notice on behalf of the respondents. Counsel agree that the application may be disposed of directing the third respondent to dispose of Annexures.A5 and A6 representations and that if the applicant is found to be entitled for the financial upgradation under the ACP Scheme to make available to him the consequential benefits within a reasonable time.

3. In the light of the submission of the learned counsel on either side, the application is disposed of directing the third respondent to consider Annexures.A5 and A6 representations in the light of Annexure.A4 and to give the applicant an appropriate reply and that if the applicant is found entitled to the benefit on such consideration, to make available to him the monetary benefits flowing therefrom within a period of three months from the date of receipt of a copy of this order. No costs.

Dated the 7th day of August, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)


A.V. HARIDASAN
VICE CHAIRMAN

A P P E N D I X

Applicant's Annexures:

1. A-1: True photocopy of salary Bill for the month of May, 2002 in favour of the applicant.
2. A-2: True photocopy of certificate of merit Award issued to the applicant, by the Chief Commercial Manager, Southern Railway, Chennai-3.
3. A-3: True photocopy of appreciation letter No.V/Sr.DCM/Awards/2000 dated 24.7.2000 issued to the applicant by the 2nd respondent.
4. A-4: True photocopy of letter No.J/P.535/P.Vol.3 of 20.4.2000 CPO/MAS No.P(R) 535/P/Promotion dated 16.3.2000 and Railway Board No.PC V/99/1/1/1 dated 1.10.99.
5. A-5: True photocopy of representation dated 22.5.2001 submitted by the applicant to 3rd respondent.
6. A-6: True photocopy of reminder application dated 13.3.2002 submitted to the 2nd respondent by the applicant.

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12.8.02