

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.520/99

Friday this the 17th day of August, 2001.

CORAM

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

T.Mohandas
S/o Thomson Zacharias
Station Master, Southern Railway
Chalakudy
Permanent Address: S.D.A.House
Veeranacavu, Trivandrum District.

...Applicant

(By advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by
the General Manager, Southern Railway
Park Town P.O., Madras.
2. The Chief Personnel Officer
Southern Railway, Headquarters Office
Park Town P.O., Madras.
3. The Senior Divisional Personnel Officer
Southern Railway, Trivandrum Division
Trivandrum.
4. The Divisional Personnel Officer
Southern Railway, Palghat Division
Palghat.

...Respondents

(By advocate Mrs. Sumathi Dandapani)

The application having been heard on 17th August, 2001,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks the following reliefs:

- (a) Call for the records leading to the issue of A-10 and quash the same.
- (b) Declare that the applicant is entitled to the extension of the benefit of A-4, A-7 and A-8 judgements and for fixation of his pay under Rule 1313 (a)(2) and (3) of the Indian Railway Establishment Code, Vol. II, duly protecting the pay of Rs. 1900/- drawn by the applicant in the Palghat Division of Southern Railway on his transfer and appointment in the Trivandrum Division of Southern Railway and direct the respondents accordingly.
- (c) Direct the respondents to grant the consequential benefit of the declaration in para 8(a) above forthwith, including arrears thereof.
- (d) Pass such other orders or directions as deemed just, fit and necessary and award costs.

9

2. When the OA was taken up, it was submitted by learned counsel on both sides that the question involved herein is squarely covered by the ruling of this Bench of the Tribunal in OA No.18/99 and this OA can be disposed of in the light of the ruling in the said OA.

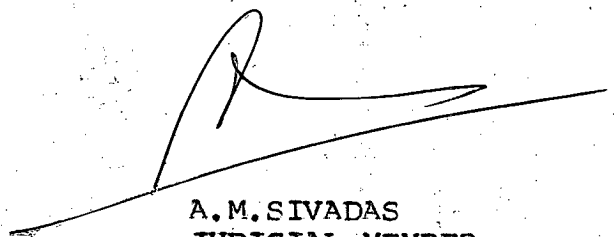
3. Accordingly, A-10 is quashed. It is declared that the applicant is entitled to the extension of the benefit of A-4, A-7 and A-8 judgements and for fixation of his pay under Rule 1313 (a)(2) and (3) of the Indian Railway Establishment Code, Vol.II, protecting his pay of Rs. 1900/- drawn by him in Palghat Division of Southern Railway on his transfer and appointment in the Trivandrum Division of Southern Railway. Respondents are directed to fix his pay within three months from the date of receipt of a copy of this order.

4. The OA is disposed of as above.

Dated 17th August, 2001.



G.RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M.SIVADAS
JUDICIAL MEMBER

aa.

Annexures referred to in this order:

- A-10 : True copy of order No.V/P.535/II/Fixation dated 11.3.99 issued by the 3rd respondent.
- A-4 : True copy of the judgement of this Tribunal in OA 1041/95 dated 10.12.96.
- A-7 : True copy of the judgement of this Tribunal in OA 403/97 dated 15.12.97.
- A-8 : True copy of the judgement of this Tribunal in OA No.893/97 dated 18.8.97.