

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 533/91
~~XXXXXX~~

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DATE OF DECISION 4-12-1991

AN John

Applicant (s)

Mr P Sivan Pillai

Advocate for the Applicant (s)

Union of India ^{Versus} through the
General Manager, Southern Respondent (s)
Railway, Madras-3 and others.

Mr PA Mohammed

Advocate for the Respondent (s) 1 to 7

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member
and

The Hon'ble Mr. Mr N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? >
3. Whether their Lordships wish to see the fair copy of the Judgement? >
4. To be circulated to all Benches of the Tribunal? >

JUDGEMENT

Shri NV Krishnan, A.M

The applicant is the Station Master, Aryankavu, Southern Railway. He is aggrieved by the impugned fixation of his pay and hence, he has sought the following reliefs.

- "..(a) To call for the records leading to the issue of Annexure A-7 and letter dated 28-4-87 of COP/MAS and quash the same.
- (b) To call for the records leading to the issue of Annexure A-3 and A-8 and quash the same if they will survive even after Annexure-A.9
- (c) To direct the respondents to allow the applicant to draw his pay as originally fixed on 20-4-67 at Rs.175/- with due progression by increments and promotions with all attendant benefits..."

2. The respondents have not filed any reply to the Original Application. However, when the application came up for final hearing, the learned counsel for the respondents submitted that

.../

a similar matter (DA 501/91) has already been disposed of on 18.11.91 and that this application can also be disposed of on the same lines.

3 We have perused the judgment in DA 501/91. The applicant therein had prayed for ~~practical~~ ^ureliefs which are almost identical to those prayed for in the present application.

4 In that application, a reply was filed by ^uthe respondents and ^uthe ^uextracts of that judgment show ^uthat ^uthe ^ufollowing submissions, ^umade therein.

"The respondents have filed a reply in which it is admitted that applicant's claim is to allow him to draw his pay as originally fixed on 18.4.67 at Rs 175/- based on the judgments in Applications 764 to 771/87(F) before the Bangalore Bench of the CAT. The matter was referred to the Chief Personnel Officer, Southern Railway Madras for a decision as to whether the benefit of fixation of pay can be allowed to the applicant on par with similarly placed employees who were applicants in DA 764 to 771 of 1987(F) before the Bangalore Bench. It is submitted in the reply that the approval of the Head Quarters has already been obtained to allow the benefit of fixation of pay as above and the case has been taken up for implementation. He, therefore, states that nothing remains for adjudication and case can be closed."

5 In view of the submission now made by the learned counsel for the respondents that the present application can also be disposed of likewise, we deem that ~~an~~ ^uidentical submission ^uas extracted above ^uhave been made in the present application also. In this view of the matter, it is agreed on by both the parties and there is no other dispute that remains for adjudication.

6 In the circumstances, we close this application
as we find that nothing remains for adjudication.

N. Dharmadan
(N Dharmadan) 4.12.91
Judicial Member

NV Krishnan
(NV Krishnan) 4.12.91
Administrative Member

4-12-1991