

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.584/02

Tuesday this the 11th day of January 2005

C O R A M :

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

K.M.Mohammad Yusuff,
Diesel Assistant,
Southern Railway, Palakkad.

Applicant

(By Advocate M/s.Santhosh & Rajan)

Versus

1. Union of India represented by the General Manager, Southern Railway, Chennai.
2. The Divisional Personnel Officer, Southern Railway, Palakkad.
3. The Senior Divisional Mechanical Engineer (Diesel), Southern Railway, Erode. Respondents

(By Advocate Mrs.Sumathi Dandapani)

This application having been heard on 11th January 2005 the Tribunal on the same day delivered the following :

O R D E R

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

The applicant who is working as Diesel Assistant is aggrieved by the pay fixation has filed this O.A. seeking the following reliefs :-

1. call for the records leading to Annexure A-7 order and set aside the same.
2. declare that the refixation of the pay of the applicant in Annexure A-7 is illegal.
3. to declare that the applicant is entitled for protection of his pay in the scale of Rs.3000-6000 in the post of Diesel Assistant and direct further to refix his pay accordingly and to grant the consequential arrears with 12% interest per annum.
4. grant such other further reliefs as this Hon'ble Tribunal may deem just, fit and proper in the facts and circumstances of the case and



5. award costs and incidental to this applicant.
2. Respondents have filed a reply statement and the applicant has filed a rejoinder. When the matter came up for hearing finally today learned counsel for the respondents submitted that he has filed an additional reply statement on behalf of the respondents annexing Annexure R-1 order dated 5.1.2005 contending that the matter was re-considered and it has been decided to grant the applicant protection of pay on absorption as Diesel Assistant in scale Rs.3050-4590. Learned counsel for the applicant has submitted that he has got a copy of Annexure R-1 order and pointed out that there are certain anomalies in the said order but substantial reliefs has already been granted.
3. Considering the entire aspects we are of the view that the O.A. does not survive. But, however, liberty is given to the applicant to make representation to the concerned authority if there is any anomaly and further grievance, if any. With the above observation the O.A. is closed. In the circumstances, no order as to costs.

(Dated the 11th day of January 2005)

H.P.DAS
ADMINISTRATIVE MEMBER

asp

K.V.SACHIDANANDAN
JUDICIAL MEMBER