

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.608/03

Dated Tuesday this the 20th day of January, 2004.

C O R A M

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

M.Pavithran
Manjakkandy House
Manal Alavil, Kannur-8.
Retired as Khalasi in the office of the
Inspector of Works IOW Southern Railway
Kannur.

Applicant

(By advocate Mrs.Chincy Gopakumar)

Versus

1. Union of India represented by the
General Manager
Southern Railway
Madras.
2. Chief Personnel Officer
Southern Raiwlay
Madras.
3. Divisional Personnel Officer
Southern Railway
Palghat.

Respondents

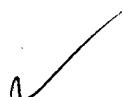
(By advocate Mrs.Sumathi Dandapani)

The application having been heard on 20th January, 2004,
the Tribunal on the same day delivered the following:

O R D E R

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

Applicant has filed this application for a direction to
the respondents to treat the applicant as accommodated in the
post of Blacksmith Grade III in the then existing scale of pay of
Rs.950-1500 at least with effect from 4.2.1994 on which date his
juniors were placed in that grade and grant him all consequential
benefits at least to the extent to which the benefits were given
to such juniors, including monetary benefits.



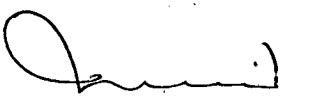
2. It is alleged in the application that in compliance with the directions contained in the order of this Tribunal in OA No.1778/94, the benefit has not been given to him.

3. The respondents in their reply statement contend that the directions contained in the order of the Tribunal in OA 1778/94 had been complied with and resultant order dated 2.2.96 had been served on the applicant on 9.2.96. The copy of the said order has been annexed as R1(a). The applicant in his rejoinder has denied receipt of the said order. However, after R1(a) has been produced along with the reply statement, the applicant has filed another Original Application before this Tribunal on 19.1.04.

4. Under these circumstances, the learned counsel of the applicant states that this application may be closed with liberty to the applicant to prosecute the OA now filed challenging the legality and correctness of R1(a) order.

5. Accordingly, without prejudice to the applicant to seek relief in accordance with law, as has been done by him in the application now filed on 19.1.04, this OA is closed as withdrawn.

Dated 20th January, 2004.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER

aa.



A.V.HARIDASAN
VICE CHAIRMAN

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 608 of 2003

Thursday, this the 4th day of December, 2003

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

1. M. Pavithran,
Manjakkandy House,
Manal Alavil, Kannur-8,
retired as Khalasi in the office of
the Inspector of Works, IOW,
Southern Railway, Kannur.Applicant

[By Advocate Mrs Chincy Gopakumar]

Versus

1. Union of India, represented by the
General Manager, Southern Railway,
Madras.

2. Chief Personnel Officer,
Southern Railway, Madras-3

3. Divisional Personnel Officer,
Southern Railway, Palghat.Respondents

[By Advocate Mrs. Sumathi Dandapani]

O R D E R

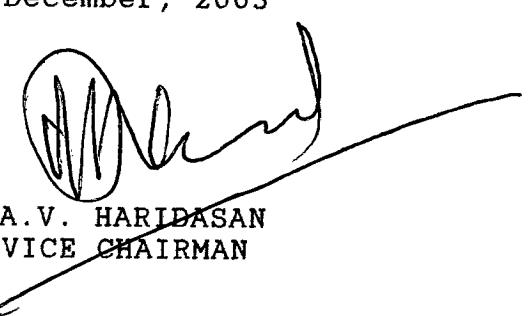
HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

None for the applicant even on the second call. None
appeared for the applicant on the last occasion also. It
appears that the applicant is not interested in prosecuting the
matter. Hence, the Original Application is dismissed for
default and non-prosecution. No costs.

Thursday, this the 4th day of December, 2003


T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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A.V. HARIDASAN
VICE CHAIRMAN