

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATED: 25.5.90

PRESENT

HON'BLE SHRI S. P. MUKERJI, VICE CHAIRMAN

&

HON'BLE SHRI N. DHARMADAN, JUDICIAL MEMBER

O.A. 84/89

K. T. Veerankutty

Applicant

Vs.

1. Union of India represented by
General Manager, Southern
Railway, Madras-3
2. Senior Divisional Personnel
Officer, Southern Railway
Palghat
3. Bridge Inspector, Special Work
Southern Railway, Cannanore and
4. Sri T. K. Aboobacker, CPC Mazdoor
Office of the Bridge Inspector,
Southern Railway, Calicut

Respondents

M/s. M. C. Cherian &
Saramma Cherian

Counsel for
respondents

Mr. Shri K. Padmanabhan

Counsel for
applicant

JUDGMENT

HON'BLE SHRI S. P. MUKERJI, VICE CHAIRMAN

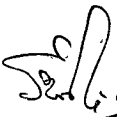
The short point in this application is that the applicant who was appointed as casual Welder in the skilled category on 6.11.1980, claims that after ^{he was} ~~given~~ ^{he} temporary status w.e.f. 6.3.1981 he should have been given the regular pay scale of Rs. 260-400 and ^{he} ~~he~~ should not have been reverted to the unskilled category.

The respondent's contention is that the applicant was entitled to the skilled grade after 20.11.1981 after which he has worked as unskilled casual labour. The learned counsel for the applicant states that persons who were engaged as welder later have been retained as welder and given higher pay scale while he has been discriminated against. This has been strongly disputed by the learned counsel for the respondents. In any case we find that the matter raised in this application related to the period ~~of~~ more than five years ago and prima facie the application seems to be suffering from ~~limitation of being~~ ^{- barred -} time. The learned counsel for the applicant states that the applicant is illiterate and that he has been sending representations to his superiors ever since 1983 without ^{any} ~~much~~ result and submitted that if there has been any delay in approaching the Tribunal, the same may be condoned. The learned counsel for the respondents denies having received any representation ^{of the applicant} on the question of denial of regular pay scale of welder. On the other hand the applicant has ~~been~~ ^{been} chosen to be absorbed as regular gangman w.e.f. 6.1.1989. The learned counsel for the applicant during the course of the argument submitted that the applicant would be satisfied if his representation dated 27.4.1988 at Annexure A-6 is considered by the respondents sympathetically.

23

2. Accordingly we close this application with a direction to the respondents that they should consider the applicant's representation dated 27.4.1988 at Annexure A-6 taking in to account the averments made by the applicant in the Original Application and dispose of the representation within a period of three months from today.
3. There will be no order as to costs.


(N. Dharmadan) 25.5.90
Judicial Member


25.5.90
(S. P. Mukerji)
Vice Chairman

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