

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.195/09

Monday this the 27th day of April 2009

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

S.Radhakrishnan,
S/o.late Subramanian Iyer,
Ex-Office Superintendent Grade II, Works Branch,
Office of Divisional Railway Manager (Works),
Southern Railway, Trivandrum.
Residing at 87 – A Meenakshipuram Road,
Thalavai Street, Vadiveeswaram, Nagargovil.

...Applicant

(By Advocate Mr.T.A.Rajan)

Versus

1. Union of India represented by the General Manager,
Southern Railway, Chennai.
2. The Additional Divisional Railway Manager,
Southern Railway, Trivandrum.
3. The Senior Divisional Engineer,
Southern Railway, Trivandrum.

...Respondents

(By Advocate Mr.K.M.Anthru)

This application having been heard on 27th April 2009 the Tribunal on the same day delivered the following :-

O R D E R

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

When the matter came up for hearing today, counsel for the respondents has produced the Appellate Order dated 8.4.2009 in which it has been stated that the case of the applicant was considered on humanitarian ground and the penalty of compulsory retirement from service imposed by the Disciplinary Authority has been modified to that of reduction to lower grade Rs.4500-7000 (as Sr. Clerk) from Rs.5500-9000

.2.

(old scale). His pay is fixed at Rs.5200/- in scale Rs.5200-20200 with Grade Pay Rs.2800/- (revised scale) permanently. The intervening period between the date of compulsory retirement and the date of re-instatement has also been treated as non-duty. It has been further stated in the Appellate Order that the applicant is at liberty to file a revision petition, if any, before the PCE/MAS ie the prescribed Revisionary Authority within 45 days from the date of receipt of the said Appellate Order.

2. In our considered view, this O.A has become infructuous. However, if the applicant is still aggrieved by the Appellate Order dated 8.4.2009 he is at liberty to challenge the same by fresh proceedings or to follow the advise of the Appellate Authority to file a revision petition in the matter. Accordingly, this O.A is disposed of. There shall be no order as to costs.

(Dated this the 27th day of April 2009)


K.NOORJEHAN
ADMINISTRATIVE MEMBER

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GEORGE PARACKEN
JUDICIAL MEMBER