

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 201 of 2004

Thursday, this the 18th day of March, 2004

CORAM

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

1. M.R. Mohandas,
Goods Driver,
Office of the Chief Crew Controller,
Southern Railway, Erode.
2. P.K. Radhakrishnan,
Goods Driver,
Office of the Chief Crew Controller,
Southern Railway, Erode.
3. K. Sivadas,
Goods Driver,
Office of the Chief Crew Controller,
Southern Railway, Erode.
4. C.R. Vijayan,
Shunter, Office of the
Senior Section Engineer (Carriage & Wagon),
Southern Railway, Mangalore.
5. K. Kesavan,
Shunter, Office of the
Senior Section Engineer (Carriage & Wagon),
Southern Railway, Palakkad.
6. V. Rajan,
Senior Diesel Assistant,
Office of Crew Controller,
Southern Railway, Shoranur.
7. T.P. Subramanian,
Diesel Assistant, Office of the
Senior Section Engineer (Carriage & Wagon),
Southern Railway, Palakkad.
8. C.V. Somasundaram,
Diesel Assistant,
Office of the Crew Controller,
Southern Railway, Shoranur.Applicants

[By Advocate Mr. T.A. Rajan]

Versus

1. Union of India, represented by the
General Manager, Southern Railway, Chennai.
2. The Divisional Personnel Officer,
Southern Railway, Palakkad.Respondents

[By Advocate Mr. P. Haridas]



The application having been heard on 18-3-2004, the Tribunal on the same day delivered the following:

O R D E R

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

The averment in the OA is that the applicants were initially appointed as Loco Khalasis. Due to dieselization they became surplus. Applicants being seniors in the category of Loco Khalasis, they were allowed to continue in the Loco Sheds in supernumerary posts and later they were promoted as Diesel Assistants. Applicants' juniors were redeployed in other departments and they were also later promoted to the post of Diesel Assistants. Applicants' juniors are drawing more pay than them. Hence, the applicants submitted representations for stepping up of their pay on par with the pay of their juniors. However, the 2nd respondent has not considered the representations. Aggrieved by the same, the applicants have filed this OA seeking the following reliefs:-

- "i) declare that the applicants are entitled to get their pay in the post of Diesel Assistants on par with the pay of their juniors;
- ii) to direct the respondents to step up the pay of the applicants in the post of Diesel Assistants on par with the pay of their juniors M/s John Vincent, I.Venkatesan and P.Pushpanathan and further direct to grant the consequential arrears with 12% interest;
- iii) in alternative direct the 2nd respondent to consider and dispose of Annexure A-1 and A-2 representations at the earliest;
- iv) 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
- v) award costs to the applicants."

2. Shri T.A.Rajan on behalf of M/s Santhosh and Rajan appeared for the applicants and Shri P.Haridas appeared for the respondents.



3. When the case came up for hearing on admission, learned counsel for the applicants submitted that Annexure A1 and A2 representations dated 4-2-2000 and 30-6-2000 respectively submitted by the applicants are pending before the 2nd respondent and the applicants will be satisfied if a direction is given to the 2nd respondent to consider the representations and pass appropriate orders thereon within a time frame. Learned counsel for the respondents stated that he has no objection in adopting such a course of action.

4. In the interest of justice, we direct the 2nd respondent to consider Annexure A1 and A2 representations submitted by the applicants and pass appropriate orders thereon within a period of three months from the date of receipt of a copy of this order.

5. The Original Application is disposed of as above. In the circumstances, no order as to costs.

Thursday, this the 18th day of March, 2004

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H.P. DAS
ADMINISTRATIVE MEMBER

K.V. SACHIDANANDAN
JUDICIAL MEMBER

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