

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. No.325 OF 2007

Wednesday this the 30th day of May, 2007

CORAM :

**HON'BLE Mr. A.K.AGARWAL, VICE CHAIRMAN
HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER**

M.Murugan
Cabin Master
Office of the Station Master
Uttukuli, Palakkad Division : Applicant

(By Advocate Mr. P.Santhosh Kumar)

Versus

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

(By Advocate Mr. Thomas Mathew Nellimoottil)

The application having been heard on 30.05.2007, the Tribunal on the same day delivered the following :

ORDER

HON'BLE Mr. A.K.AGARWAL, VICE CHAIRMAN

This Original application has been filed by the applicant seeking following reliefs:-

i, Issue a declaration declaring that the applicant is entitled for the pay scale of Rs.4500-7000 after the re-deployment in the category of Train Clerk whose pay scale is Rs.3050-4500.

ii, To issue a declaration (or in the alternative) declaring that the applicant is entitled for appointment as Assistant Station Master in the pay scale of Rs. 4500-7000/-




- iii. To grant such other relief(s) which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

2. The learned counsel for applicant submitted that in the case of similarly situated persons, Divisional Office, Madras has vide order dated 20.02.2007 protected the pay scale of Cabin Masters recommended for redeployment by the Committee. The applicant has been given the pay scale of Rs.3050-4500 only.

3 The learned counsel for applicant drawing our attention to the seniority list of Cabin Masters submitted that a number of persons junior to the applicant have been redeployed as Assistant Station Masters and Goods Guard in the pay scale of Rs.4500-7000. The applicant is being redeployed only as Train Clerk and that too without protecting his pay scale as Cabin Master.

4. From the perusal of the records we find that the applicant has not made any representation, against the grievances cited in the OA, to the respondents so far. After hearing the learned counsel for applicant, we are of the view that the relief sought by the applicant in this OA should first be considered by the respondents and the applicant should approach Tribunal if not satisfied with their decision. Accordingly, the respondents are directed to consider the grievances made by the applicant in the OA by considering it as his representation, and pass a well reasoned speaking order within a period of three months from the date of receipt of a copy of this order.



5. The OA is disposed of at the admission stage with directions given above.

Dated, the 30th May, 2007.



GEORGE PARACKEN
JUDICIAL MEMBER

VS



A. AGARWAL
VICE CHAIRMAN