

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A.NO.385/05**

Wednesday, this the 22<sup>nd</sup> day of June, 2005.

**CORAM :**

**HON'BLE Mrs. SATHI NAIR, VICE CHAIRMAN  
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER**

S.Ramachandran  
Tower Wagon Driver  
Office of the Senior Section Engineer, Over-head Equipments  
Southern Railway, Podanur  
Residing at : No.73 – A  
Railway Hospital Road  
Near Southern Railway Signal and  
Telecommunication Workshop, Podanur  
Coimbatore – 23 : **Applicant**

(By Advocate Mr.T.C.Govindaswamy)

**Versus.**

1. Union Of India represented by the  
General Manager  
Southern Railway  
Headquarters Office, Park Town P.O.  
Chennai – 3
2. The Senior Divisional Personnel Officer  
Southern Railway  
Palghat Division, Palghat
3. The Senior Section Engineer  
Traction Distribution (OHE)  
Podannur Junction, Southern Railway  
Coimbatore District

(By Advocate Ms. P.K.Nandini)

The application having been heard on 22.06.2005, the Tribunal on  
the same day delivered the following :

**ORDER**

**HON'BLE Mrs. SATHI NAIR, VICE CHAIRMAN**

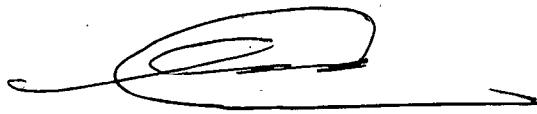
The applicant was a regularly appointed Tower Wagon Driver in the scale of Rs. 4000-6000. He was promoted with effect from 16.07.1998 and has been continuing in the same post till date. While so, he has received show cause notice Annexure A-2 dated 17.02.2005 proposing to reduce his pay from 16.07.1998 on the ground that the pay fixation done earlier was found to be erroneous. It is stated in the show cause notice that representation against the proposed rectification of the defects could be sent within 10 days and the applicant received the said notice in the applicant's office on 26.02.2005. The applicant submitted a representation dated 03.03.2005 to the 2<sup>nd</sup> respondent which is still pending consideration. In the meanwhile, the applicant has approached this Tribunal on the apprehension that the pay fixation will be carried out by the respondents without considering the representation. This Tribunal had therefore passed an interim order directing that the pay of the applicant will not be reduced till 22.06.2005.

2. When the case came up for hearing, learned counsel for applicant submitted that he would be satisfied if a direction is given to the respondents to consider his representation dated 03.03.2005 and that the revised pay fixation should not be done without considering his representation.
3. Accordingly, we direct the 2<sup>nd</sup> respondent to consider the representation dated 3<sup>rd</sup> March, 2005 and to communicate a decision to the applicant within a period of one month from the date of receipt of a copy of this order. Till such a representation is disposed of, the pay of the applicant will not be reduced as proposed in Annexure A-2.

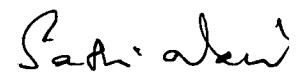
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4. With the above directions, the Original Application is disposed of.  
No order as to costs.

Dated, the 22<sup>nd</sup> June, 2005.



**K.V.SACHIDANANDAN**  
**JUDICIAL MEMBER**



**SATHI NAIR**  
**VICE CHAIRMAN**

VS