

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.40 of 1996

Thursday, this the 11th day of January, 1996

CORAM

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

R Somarajan Nair,  
Carriage & Wagon Fitter Grade-II,  
Office of the Carriage & Wagon Superintendent,  
Southern Railway, Kollam.

...Applicant

By Advocate Mr M V Thamban (represented)

Vs

- 1 The Chief Personnel Officer,  
Southern Railway, Madras.
- 2 The Divisional Personnel Officer,  
Southern Railway,  
Thiruvananthapuram.

...Respondents

By Advocate Mr James Kurian

The application having been heard on 11th January 1996,  
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

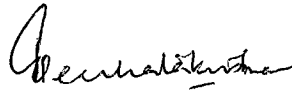
Applicant submits that he is entitled to arrears of pay as the promotion was delayed entirely due to the lapses of the employer. Learned counsel for applicant relied on different decisions of the Supreme Court to contend that an employee cannot be denied his wages where the promotion was delayed on account of the employer's conduct. Though applicant made A-2 representation in July, 1995 no order has been passed thereon. First respondent will pass a speaking order on A-2 within four weeks from today and communicate the same to applicant.

- 2 Standing counsel submits that he will forward a copy of the original application and a copy of this order to first respondent

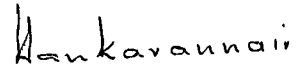
forthwith for compliance. We record the submission.

3 Original application is disposed of as aforesaid. No costs.

Dated the 11th January, 1996.



P. V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A2: A true copy of representation dated 15.7.1995 submitted by the applicant before the 1st respondent.

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