

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.403/97

Monday, this the 15th day of December, 1997.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR SK GHOSAL, ADMINISTRATIVE MEMBER

1. MJ Andrews,  
Diesel Assistant,  
Southern Railway,  
Ernakulam Marshalling Yard.
2. Immanuel Gracious,  
Diesel Assistant,  
Southern Railway,  
Ernakulam Marshalling Yard. - Applicants

By Advocate Mr TC Govindaswamy

Vs

1. Union of India through  
the General Manager,  
Southern Railway,  
Headquarters Office,  
Park Town.P.O.  
Madras-3.
2. The Chief Personnel Officer,  
Southern Railway,  
Headquarters Office,  
Park Town.P.O.  
Madras-3.
3. The Senior Divisional Personnel Officer,  
Southern Railway,  
Trivandrum Division,  
Trivandrum-14.
4. The Divisional Personnel Officer,  
Southern Railway,  
Palghat Division,  
Palghat. - Respondents

By Advocate Mr KV Sachidanandan

The application having been heard on 15.12.97 the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

The applicants seek to quash A-1 to the extent it relates to them and also to direct the respondents to extend the benefit of A-7 judgement to them and to fix the pay under Rule 1313(a)(2) and (3) of the Indian Railway Establishment Code, Vol.II.

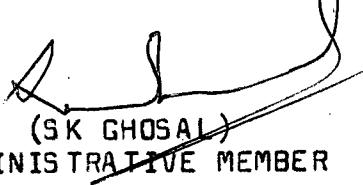
2. The applicants are at present working as Diesel Assistants in the scale of Rs.950-1500 in Trivandrum Division of Southern Railway. As per A-1 impugned order the pay of applicants stands reduced from Rs.1230.00 to Rs.1090.00 with retrospective effect.

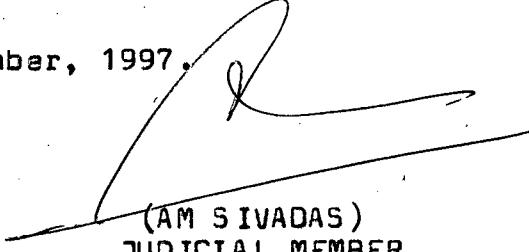
3. The respondents have filed a reply statement justifying the stand taken by them in A-1.

4. The question involved herein is covered by the orders of this Tribunal in O.A.1041/95 and O.A.893/97.

5. Relying on the above said two orders, we allow the O.A. quashing A-1 to the extent it relates to the applicants and directing the respondents to extend the benefit of the said two orders to the applicants also and to fix their pay under Rule 1313 (a)(2) and (3) of the Indian Railway Establishment Code, Vol.II. No costs.

Dated, the 15th December, 1997.

  
(SK GHOSAL)  
ADMINISTRATIVE MEMBER

  
(AM SIVADAS)  
JUDICIAL MEMBER

LIST OF ANNEXURES

1. Annexure A1: Memorandum bearing No.V/P 524/VI/Fixation/Vol.2 dated 31.1.1997 issued by the third respondent.
2. Annexure A7: Order delivered by the Hon'ble Central Administrative Tribunal, Ernakulam Bench dated 10-12-1996 in O.A.1041/95

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