

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 411 of 2010

Wednesday, this the 4th day of August, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

Peter P.D, S/o Devasy
Station Master/II,
Southern Railway, Kalamassery,
Residing at Panachickal House
Malayattoor P.O, Ernakulam.

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Applicant

(By Advocate – Mr. M.P Varkey)

V e r s u s

1. Union of India represented by
General Manager
Southern Railway
Chennai – 600 003

2. Divisional Personnel Officer
Southern Railway
Trivandrum

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Respondents

(By Advocate – Mr. K.M Anthru)

This application having been heard on 04.08.2010, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr. Justice K. Thankappan, Judicial Member -

The applicant filed this Original Application for a declaration that he is entitled to have the pay fixed at Rs.6000/-, 6125/-, 6250/- and 6375/- respectively from 1st March 2002, 2003, 2004 and 2005 in the pay scale of Rs.4500-7000 with consequential arrears. Further it is prayed that there shall



be a declaration of the fact that the applicant is entitled for his pay to be re-fixed at Rs.11860/-, Rs.12350; Rs.12855 plus grade pay of Rs.2800/- each in Pay Band No.1 respectively on 1.1.2006 and 01.07.2007 and also to have his pay suitably re-fixed in Pay Band 2 from 16.06.2008/01.07.09 on his induction/promotion as Traffic Apprentice/SM-II from 16.06.2008, with consequential arrears.

2. When the matter came up for admission, we have heard the counsel appearing for the applicant Mr M.P Varkey and also the counsel appearing for the respondent Mr K.M Anthru on receipt of the copy of Original Application. Relying on Annexures A-2, A-3, memorandums dated 25.04.09, 20.05.2009 and rule position contained in Annexure A-5, the counsel appearing for the applicant submits that the applicant is entitled for the pay fixation and its benefits derived where from.

3. We have considered the contentions of the applicant in the light of the aforesaid documents and for getting this the applicant has already filed Annexure A-4 representation addressed to the 2nd respondent. With regard to this contentions the counsel appearing for the respondent Mr.Anthru submits that as per the documents which the applicant relies the case can be considered by this Tribunal and pass orders basing on the documents produced along with this Original Application.

4. On considering all the contentions now raised by the counsel appearing for the applicant and on going through the memorandum cited



and also Annexure A-5 rule position, we feel that the Original Application itself can be disposed of by directing the 2nd respondent to consider the case of the applicant and pass appropriate orders as an answer to Annexure A-4 within a reasonable time at any rate within 60 days from the date of receipt of a copy of this order.

5. With the above circumstances this original application is disposed of.

No order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER

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