

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY 400 614

(19)

TR.A.NO. 7/87

Shri Chandrakant G. Haridikar,
Working as Travelling Ticket
Inspector, Under Chief Ticket
Inspector, Central Railway,
Solapur, Residing at: 29, Navin Peth
Solapur 413001, and 25 others.

Applicants

v/s.

The Union of India
through
The General Manager,
Central Railway,
Bombay V.T., Bombay-400 001
and 24 others.

Respondents

CORAM: Hon'ble Member (A) Shri J.G. Rajadhyaksha
Hon'ble Member (J) Shri M.B. Mujumdar

APPEARANCE :

Mr.D.V.Gangal
Advocate
for the Applicant

Mr.V.G.Rege
Advocate
for Respondents No. 1 to 3 and 5 & 6.

TRIBUNAL'S ORDER

Dated: 1.3.1988

(PER: M.B.Mujumdar, Member (J)

Heard Mr.D.V.Gangal, learned Advocate for the
applicant and Mr.V.G.Rege, learned Advocate for Respondents
No. 1 to 3 and 5 & 6.

2. By an order dated 20th February, 1985 some of the
applicants were promoted as Assistant Chief Ticket
Inspectors while the remaining were promoted as Chief
Ticket Inspectors. These promotions are made in view
of the Cadre Review and Restructuring Scheme. The
applicants are given pay of the higher post w.e.f. the
date of the order i.e. 20.2.1985.

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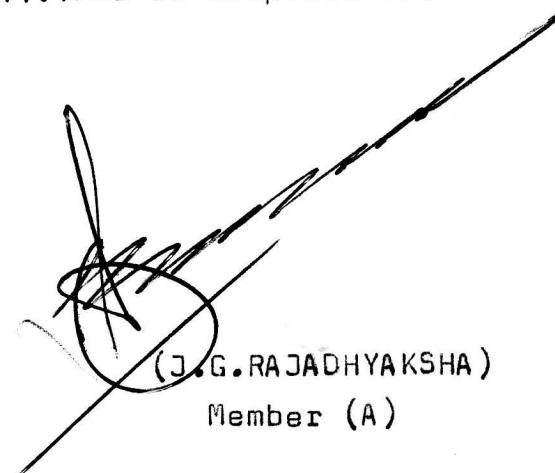
3. The applicants had filed Civil Application on 1st November, 1985, that is when the matter was pending in the High Court, for giving arrears to them w.e.f. 1.1.1984.

4. The respondents have filed reply to the Civil Application after the matter was transferred to this Tribunal. According to Mr. Rege the applicants are not given arrears of pay of the higher posts from 1.1.1984 because of the interim orders passed by the High Court on 12.11.1984. We have perused that order and in our opinion that order has nothing to do with the promotions of the applicants under the restructuring scheme or paying arrears to them w.e.f. 1.1.1984. In para 11 of the order dated 20.2.1985 it is mentioned that all the staff promoted to higher posts is eligible for payment from the date they start working independently. However, it is further mentioned that as regards fixation of pay and arrears from 1.1.1984 separate orders will follow. These separate orders have not been passed so far and that is why the applicants were required to file the Civil Application.

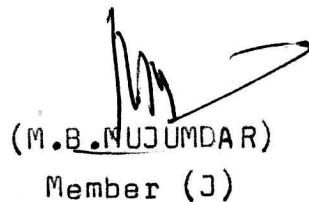
5. After hearing the advocates for both the sides, we find no reasons why the applicants should not be given the arrears w.e.f. 1.1.1984. We, therefore, direct the respondents to fix the ^{applicants'} pay as on 1.1.1984 and pay the arrears to the applicants of the higher post to which they are promoted w.e.f. 1.1.1984 till they were actually promoted by orders dated 20.2.1985. To avoid complications, we clarify that these payments will also be subject to the outcome of this Application. The above



orders should be implemented within three months from today. Keep the case for directions regarding the date of hearing on 26.4.1988. Civil Application filed by the applicants on 1.11.1985 is disposed of.



(J.G. RAJADHYAKSHA)
Member (A)



(M.B. NUJUMDAR)
Member (J)