

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

O.A.NO.638/2000

Tuesday, this the 4th day of March, 2003

Hon'ble Shri Govindan S. Tampl, Member (A)
Hon'ble Shri K.V.Sachidanandan, Member (J)

Shri Vishwanath Krishna Khadilkar
age 68 years retired (pensioner)
Residing at B/8, Maya Mitra Mandal
Co-op Hsg. Society (Ltd) Near Bibwewadi
Police Chowky (Indira Nagar), Pune 411 037
(By Advocate: None)

Applicant

Versus

1. General Manager (P/COMMERCIAL)
Central Railway Chatrapati Shivaji
Terminus Mumbai
2. Divisional Railway Manager
(DRM) (P) Mumbai CSTM Mumbai

(By Advocate: Ms. D. Fernandes for Shri Suresh Kumar)

O R D E R (ORAL)

Shri Govindan S. Tampl:

None was present on behalf of the applicant even on the third call. We have heard Ms. D. Fernandes, learned proxy counsel for Shri Suresh Kumar, counsel for respondents. Accordingly, the OA is being disposed of in terms of Rule 15 of C.A.T. (Procedure) Rules, 1987.

2. In this case, the applicant, who was working as Chief Booking Supervisor (CBS) in the grade of Rs.2000-3200/-, retired on superannuation on 30.4.1990. He had been working in the grade from 1.3.1990 prior to which he was the senior-most commercial authority in the grade of Rs.1600-2600/- and he was to take over the charge from Shri Dhavle, who was to retire on 28.2.1990. According to the applicant, he was awaiting his further promotion, having successfully cleared the written test. After the retirement of Shri Dhavle, he took over the charge and

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performed as CBS till his retirement. Though he was promoted on 22.2.1990, his ~~relief~~ was delayed by the Station Master, Pimpri, which had created some inconvenience to him. The applicant should, therefore, be granted the retirement benefits, keeping in mind the higher post, is what mentioned in OA.

3. Respondents point out that the applicant has no case as he had not shown that he was in fact appointed as CBS and held the post in terms of the same. Unless and until it is proved by documents that the applicant had so worked, there is no case to consider grant any higher pay, pleads the learned proxy counsel for respondents.

4. Having considered the matter, we are convinced that the applicant has no case. In spite of his averments, he has not shown any documents to show that he was in fact appointed to the higher post and that he performed his duties. That being the case, his request for the higher emoluments, which could have ^{influence} ~~affect~~ on his pension, cannot be entertained.

5. In this view of the matter, OA fails and is accordingly dismissed. No costs.

(K. V. Sachidanandan)
Member (J)

/sunil/

(Govindan S. Tampli)
Member (A)