

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 17-08-1987

APPLICATION NO 1717, 1744 & 1745 /86(F)

XXXXXXXX

Applicant

All India Station Masters Association, Divl. Rly. Manager, S.Rly
Bangalore. V/s. & 3 ors.

To

1. Shri.G.Rajan,
Secretary,
All India Station Masters
Association,
Asst. Station Master,
S.Rly, Yeswantpur,
Bangalore- 560 022.
2. Shri.R.Venkatramana Rao,
Asst. Station Master,
Baiyappanahalli,
Indiranagar Post,
Bangalore.
3. Shri.K.J.Jose,
Station Master, S.Rly.,
Yeswantpur, B'lore- 22.
4. Shri.M.R.Achar, Advocate,
1074 & 1075,
Banasankari I Stage,
Sreenivasanagar II Phase, B'lore.
5. The Divisional Railway Manager,
S.Railway, B'lore- 23.
6. The Divisional Personal Officer,
S.Railway, B'lore- 9.
7. The General Manager,
Southern Railway, Madras.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER ~~XXXX~~
~~XXXXXX~~ passed by this Tribunal in the above said
application on 3-8-87.

B. V. Venkatesh
DEPUTY REGISTRAR
~~SECTION OFFICER~~
(JUDICIAL)

Encl : as above

8. The Senior Operating Superintendent,
Southern Railway, Bangalore.
9. Shri.M.Steerangaiah,
3, S.P.Buildings,
10th Cross, Cubbonpet Main Road, B'lore- 2.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 3RD DAY OF AUGUST, 1987

Present: Hon'ble Shri Justice K.S.Puttaswamy, Vice Chairman

Hon'ble Shri L.H.A. Rego, Member (A)

Application Nos.1717, 1744 and 1745 of 1986

1. All India Station Masters Association, Regd.No.1359, New Delhi, South Zone, Bangalore Division, by its Secretary, G.Rajan. Applicant in A.No.1717/86(F)
2. R.Venkataramana Rao, Asst. Station Master, Baiyappanahalli, Indira Nagar Post, Bangalore. Applicant in A.No.1744/86(F)
3. K.J.Jose, Station Master, S.Rly, Yesvantapur, Bangalore. Applicant in A.No.1745/86(F)

(Shri M.R.Achar, Advocate)

Vs

1. Divisional Railway Manager, S.Railway, Bangalore-23.
2. Divisional Personal Officer, Southern Railway, Bangalore-9.
3. General Manager, Southern Railway, Madras.
4. Senior Operating Superintending, Southern Railway, Bangalore.

Respondents.

(Shri M.Sreerangaiah, Advocate)

These Applications having come up for hearing to-day, Hon'ble Vice Chairman Shri Justice K.S.Puttaswamy, made the following:

Applicants by Shri M.Madhusudan. Respondents by
Shri M.Sreerangaiah.

2. As the questions that arise for determination in these cases are either common or interconnected, we propose to dispose of them by a common order.

3. We have perused the applications and the separate replies filed by the respondents in the three cases and heard the learned counsel for both sides.

4. The applicant in A.No.1717/86 is an association called 'the All India Station Masters' Association, Bangalore Division, Southern Railway, Bangalore. Applicants in A.No.1744 and 1745 of 1986 are members of the said association. They were working as Assistant Station Masters (ASMs) in the timescale of Rs.425-640 and they were promoted as ASNs in the time-scale of Rs.455-700 on an ad hoc basis. When they were so promoted the rules and orders of the Railway Administration provided for passing of a written and viva-voce test for regularisation of their services. But on the recommendations of the IV Pay Commission, and orders made thereon, the two scales have been merged into one, viz., Rs.1200-2040 w.e.f. 1.1.1986. With that, the apprehension of the applicants that they will be compelled to appear for an examination and pass ^{it} ~~then~~ for regularisation of their services, as ASMs, has totally disappeared and that position is made clear by the respondents in their reply also.

5. With this, the main grievance of the applicants no longer survives for consideration.

6. As regards the claim of the applicants for seniority over certain others the matter itself has not so far been examined and decided by the Railway Administration. Before the railway administration decides those matters, we do not see any justification to examine and decide the same. We, therefore, leave open the same. But we however reserve liberty to the applicants to approach the authorities or this Tribunal if they are aggrieved by any decision ^{to be} rendered on the matter.

7. As regards the claim of the applicants for promotion from 1.8.1982 and monetary benefits from 1.8.1983, the applicants have been allowed monetary benefits from the date of their actual promotion. We do not see any justification to grant monetary benefits before the applicants were actually promoted.

8. On the foregoing discussion, we hold that granting of any reliefs does not arise. We therefore dismiss the applications subject to what is stated in the course of this order. But in the circumstances of the cases, we direct the parties to bear their own costs.

- True Copy -

Sd _____

VICE CHAIRMAN

3/8/87

Sd _____

MEMBER (A) T.S. 3/87

B. V. Venkatesh
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

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