

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH, BANGALORE

DATED THIS THE NINETEENTH DAY OF NOVEMBER 1986

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

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

APPLICATION NO.1690/86

Basappa,  
Retd. Station Master,  
Bijapur.

.. Applicant

Vs,

Union of India, represented  
by General Manager, South  
1. Central Railway, Secunderabad.

2. Divisional Railway Manager,  
South Central Railway, Hubli. .. Respondents  
(Shri M.Sreerangaiah.. Advocate)

This application came up for hearing before  
Court today, Hon'ble Vice Chairman makes the following:

O R D E R

Case called on more than one occasion. On every  
occasion, the applicant who has been duly served with  
notice of hearing for to-day and even earlier has  
remained absent. We have perused the records and  
heard Sri M. Srirangaiah, learned counsel for the  
respondents.

2. In this transferred application received from  
the Court of the Munsiff B. Bagewadi, under Section  
29 of the Administrative Tribunals Act of 1985 (the  
Act), the applicant had sought for a decree for  
Rs.1450.00 against the respondents with costs and  
current interest.

3. The applicant who was a retired Station Master  
was re-employed by the competent officer on 10-2-1978  
as an Assistant Station Master on a basic pay of

Rs.201/-<sup>p.m.</sup> subject to his furnishing cash security of Rs. 300-00, with which he complied and reported for duty on or about 27.3.1978. His said re-employment came to an end on 30-12-1978.


4. While the applicant was in service the basic pay was revised from Rs.201-00 to Rs.288.50 from 27.3.1978 and he has claimed the difference till he left service. He has claimed Rs.210.90 towards difference of travelling allowance, and Rs.300-00 being the refund of cash security he had furnished when he joined service.

5. In their written statement filed in the Court of the Munsiff, the respondents have admitted the claim of the applicant for a sum of Rs.794-55 towards difference of salary and Rs.42-71 from out of the cash security of Rs.300-00. The respondents have ~~denied~~ the claim of Rs.210-90 towards the difference of travelling allowance.

6. Sri Srirangaiah contends that the applicant has only entitled for payment of Rs.837.26 admitted by the respondents in their written statement and was not entitled for payment of any other sum towards any other claims.

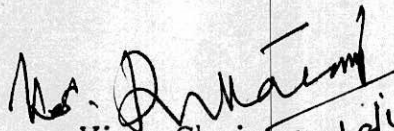
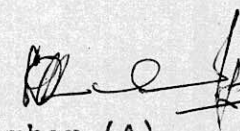
7. As the applicant has not appeared despite service of notice and has not established his claims over and above the amounts admitted by the respondents, we cannot hold that the applicant was entitled over and above the amounts admitted by the respondents.

We must, therefore, reject the ~~rest~~<sup>of</sup> claim of the applicant and direct the payment of the admitted amounts to the applicant.



8. In the result we allow this application in part, make an order for payment of a sum of Rs.837-26 and direct the respondents to make payment of that amount to the applicant if the same has not so far been paid with all such expedition as is possible in the circumstances of the case and in any event within 90 days from the date of receipt of the order of this Tribunal.

9. Application is disposed of in the above terms. But, in the circumstances of the case, we direct the ~~parties~~ parties to bear their own costs.

  
Vice-Chairman (9/6/86)  Member (A) 6-9-86

ak.