

NEW BOMBAY BENCH

CAMP : NAGPUR

O.A. No. 121/90

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DATE OF DECISION 28.3.1990

Shri G. Hanumaiah

Shri M.M.Sudame Advocate for the Petitioner(s)

Versus

General Manager, C.Rly., Bombay Respondent

Advocate for the Respondent(s)

The Hon'ble Mr. P.S. Chaudhuri, Member (A)

The Hon'ble Mr. J.P.Sharma, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

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(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

CAMP : NAGPUR

OA.NO. 121/90

Shri G.Hanumaiah

... Applicant

v/s.

General Manager, C.Rly, Bombay

... Respondent

CORAM: Hon'ble Member (A) Shri P.S.Chaudhuri
Hon'ble Member (J) Shri J.P.Sharma

Appearances :

Mr. M.M.Sudame
Advocate
for the Applicant


Mr. D.N.Dadilwar
Law Assistant
DRM, C.Rly., Nagpur

ORAL JUDGMENT

Dated: 28.3.1990

(PER: P.S.Chaudhuri, Member (A))

In this case the applicant is seeking a direction to fix his pay at a higher stage so as to remove ^{the} ~~his~~ anomaly of his junior getting more pay than him. The applicant is a railway employee working as Assistant Engineer. It is his case that two persons, namely, ^{Mr.} Samar Mitra and Mr. H.L.Parikh who were junior to him in Group 'C' are now drawing more pay than him as Assistant Engineers in Group 'B'. It is his case that he has represented the matter and specifically brought out the matter that these two juniors are drawing more pay than him. In ^{spite} ~~respect~~ of this, the respondents have not taken note of his representation and have only told him that "you may submit your application to the appropriate authority, in case your junior is drawing higher pay than you in Group 'B'". In respect of this, it is Mr. Sudame's contention that ^{the} ~~the~~ applicant once again submitted a representation on 27.11.1989 addressed to the Chief Project Manager, Railway Electrification, Nagpur under whom he is now working but he has still not heard anything further.



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2. We have heard Mr. M.M.Sudame, learned advocate for the applicant. Mr. D.N.Dadilwar, Law Assistant in the Respondents' Nagpur office is present. Mr. Dadilwar submits that they have not received a copy of the application, but we are of the view that the nature of the application is such that we can dispose it of with a simple order.

3. We are of the view that this application is pre-mature as a period of six months, as laid down in Section 20 of the Central Administrative Tribunals Act, 1985 has not yet expired.

4. Hence, we dispose of the application summarily under Section 19 of the Administrative Tribunal Act with a direction that the respondents shall decide the applicant's representation dated 27.11.1989 on or before 27.4.1990. We also direct that a copy of this application, viz. OA. 121/90 be given to Mr. Dadilwar along with a copy of the representation dated 27.11.1989. In case the applicant is aggrieved at the result of his representation, he is at liberty to approach the Tribunal with a fresh application.

J.P. Sharma
(J.P. SHARMA)
MEMBER (J)

P.S. Chaudhuri
(P.S. CHAUDHURI)
MEMBER (A)

*Resubmission dt. 28.3.90
Send to parties on
20.4.90.*

Tekeal

*Judgement dt 28.3.90
Served on Applicant
on dt Nil*

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7/5/90*