

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 586/91

Date of Decision: 3. 10 97.

Western Railway Cashiers' Association Applicant.  
& 7 Others,

Shri G. S. Walia,

Advocate for  
Applicant.

Versus

Union Of India & Others,

Respondent(s)

Shri N. K. Srinivasan,

Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. B. S. Hegde, Member (J).

Hon'ble Shri. M. R. Kolhatkar, Member (A).

- (1) To be referred to the Reporter or not? *✓*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *✓*

*B. S. Hegde*  
( B. S. HEGDE )  
MEMBER (J).

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(15)

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 586/91.

Dated this 3rd, the Friday day of October, 1997.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).  
HON'BLE SHRI M. R. KOLHATKAR, MEMBER (A).

1. Western Railway Cashiers' Association,  
C/o. S.P. Muthu,  
General Secretary,  
Head Quarter Office,  
Western Railway,  
Churchgate,  
Bombay - 400 020.
2. S. P. Muthu,  
Senior Cashier,  
Headquarter Office,  
Western Railway,  
Churchgate,  
Bombay - 400 020.
3. T. H. Lalwani,  
Sr. Cashier & Divisional  
Secretary, Headquarters  
Office, Western Railway,  
Churchgate, Bombay-400 020.
4. V. K. Ayengar, Jr. Cashier,  
Headquarter Office,  
Western Railway, Churchgate,  
Bombay - 400 020.
5. M. Joy, Jr. Cashier,  
Headquarter Office,  
Western Railway,  
Churchgate,  
Bombay - 400 020.
6. V.R. Singh, Jr. Cashier,  
Headquarter Office,  
Western Railway,  
Churchgate, Bombay-400 020.
7. D.D. Sharma, Jr. Cashier,  
Headquarter Office,  
Western Railway, Churchgate,  
Bombay - 400 020

... Applicants

8. P.C. Adarkar, Jr. Cashier,  
Headquarters Officer,  
Western Railway,  
Churchgate, Bombay-400 020.

... Applicants

(By Advocate Shri G.S. Walia)

VERSUS

Union Of India through

1) Secretary, Railway Board,  
Rail Bhawan,  
New Delhi - 110 001.

2) General Manager,  
Western Railway,  
Churchgate,  
Bombay - 400 020.

3) Chief Cashier,  
Western Railway,  
Churchgate,  
Bombay - 400 020.

... Respondents.

4) FA & CAO, Western Railway,  
Churchgate,  
Bombay - 400 020,

(By Advocate Shri N.K. Srinivasan)

: ORDER :

I PER.: SHRI B.S. HEGDE, MEMBER (J) I

Heard Shri G.S. Walia for the applicants  
and Shri N. K. Srinivasan for the respondents.

2. In this O.A., the applicants are challenging the order passed by the respondents vide dated 28.06.1990 pursuant to the direction of the Tribunal in O.A. No. 451/87 decided on 20.02.1990 wherein the Tribunal had directed the respondents to formulate a comprehensive

and uniform scheme regarding the grant of honorarium to the Supervisory Staff of the Cash and Pay Departments of all the Zonal Railways. In accordance with the directions of the Tribunal, the respondents prepared a comprehensive scheme, which they have reiterated in their reply.

3. The Counsel for the respondents, Shri N. K. Srinivasan, draws our attention that the very scheme has been considered by the Hyderabad Bench in *M. Rangachari V/s. FA & CAO* [(1993) 24 ATC 39] wherein the Tribunal had upheld the scheme prepared by the Railway Board and while upholding the Scheme they had observed that the Railway Board had analysed various alternatives systematically, keeping in view the quantum of work to be carried out by the cashier and the cash to be handled for entitlement for honorarium, etc. Therefore, it has been observed that "implementation of one recommendation alone has not adversely affected the applicants. In any case, it is for the administration to accept the recommendations wholly or partly." Since it is policy decision taken by the Railway Board, the same cannot be questioned by the Union or any other party, unless it is stated as malafide or arbitrary.


4. In the instant case, the applicants have not alleged any malice or arbitrariness in the decision taken by the Respondents pursuant to the decision of the

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Tribunal, therefore, we see no ground for interference in the decision of the respondents. We are, therefore, of the opinion that the O.A. is devoid of merits and accordingly the same is dismissed with no order as to costs.

5. M.P. No. 975/91 filed by the applicant also stands dismissed.

  
(M. R. KOLHATKAR)  
MEMBER (A).

  
(B. S. HEGDE)  
MEMBER (J).

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