

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 992/94

Date of Decision: 21.7.1999

V.G.Gawad & Ors.

Applicant.

Shri G.D.Samant

Advocate for
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Shri V.S.Masurkar

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. D.S.Baweja, Member (A)

Hon'ble Shri. S.L.Jain, Member (J)

(1) To be referred to the Reporter or not? *Y*

(2) Whether it needs to be circulated to
other Benches of the Tribunal?

D.S. Baweja
(D.S. BAWEJA)
MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

DA.NO. 992/94

Wednesday this the 21st day of July, 1999

CORAM: Hon'ble Shri D.S.Baweja, Member (A)
Hon'ble Shri S.L.Jain, Member (J)

1. V.G.Gawad
2. B.R.Mishra
3. R.G.Chorge
4. R.C.Patel
5. B.R.Gujar
6. S.S.More
7. P.V.Lad
8. R.B.Kadam
9. A.R.Nair
10. S.G.Naik
11. T.J.Singh
12. N.R.Topiwala
13. G.S.Dubey
14. R.B.Yadav
15. V.Ganapati
16. H.G.Shedge
17. S.B.Singh
18. B.G.Yadav
19. L.J.Kedar
20. M.L.Pingle
21. K.Sahu
22. S.M.Behara
23. S.P.Mahato
24. A.J.Phatak

... Applicants

All are working as Helper Khalasi
under Senior Electrical Foreman(P)
Western Railway, Churchgate,
Mumbai.

By Advocate Shri G.D.Samant

V/S.

1. Union of India
through General Manager,
Western Railway,
Churchgate, Bombay-400 020.
2. Divisional Railway Manager,
Western Railway,
Bombay Central,
Bombay-400 008.


... Respondents

By Advocate Shri V.S.Masurkar

O R D E R (ORAL)

(Per: Shri D.S.Baweja, Member (A))

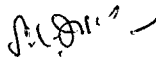
This application has been filed jointly by 24 applicants. The applicants at the relevant time were working as Khalasi-Helper in the scale of Rs.210-290 on the Western Railway. The case of the applicants is that the number of juniors of the applicants were posted as Lift Attendants after holding Trade Test in the same scale of Rs.210-290 but subsequently Lift Attendants were upgraded to the skilled grade. The contention of the applicants is that the Lift Attendants were posted without calling for any option from the senior employees which included the applicants and therefore ^{with} the post of Lift Attendant ^{being} upgraded to the skilled grade, the applicants have been seriously affected. Feeling aggrieved by the same, the present DA. has filed seeking the relief of directing the respondents to promote the applicants as Lift Attendants in the scale of Rs.950-1500 and with a further prayer of fixing their pay ~~on~~ par with their juniors in the scale of Rs.950-1500.

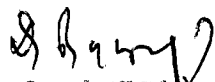
2. The respondents have filed the reply for the same. 

3. Shri G.D.Samant, learned counsel for the applicants and Shri V.S.Masurkar, learned ^{are} counsel for the respondents ^{present} and they have been heard.

4. Shri G.D.Samant brought out that the grievance of the applicants no longer survives as they have been already promoted as skilled grade Fitters based on their own seniority as Khalasi Helper and now ^{the only grievance is with regard to fixation of} pay at par with their juniors who had been promoted to skilled grade from the earlier post of Lift Attendant in the semi-skilled grade.

5. In view of the above submissions of the counsel for the applicants, the grievance of the applicants no longer remains and therefore the OA stands disposed of. As regards the pay fixation, the applicants may make a representation to the concerned authority and the concerned authority will pass necessary order for the same. No order as to costs.


(S.L.JAIN)
MEMBER (J)


(D.S.BAWEJA)
MEMBER (A)

mrj.