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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION OA 314/97

DATE OF DECISION: 11.2.2002.

Shri. O.P. Sharma Applicant.

Shri G.S. Walia Advocate for
Applicant.

Verses

* Union of India and others Respondents.

Shri. V.S. Masurkar. Advocate for
Respondents

CORAM

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

Hon'ble Smt. Shanta Shastri, Member (A)

(1) To be referred to the Reporter or not? No

(2) Whether it needs to be circulated to other Benches of the Tribunal? No

(3) Library. No

S.L. Jain
(S.L. Jain)
Member (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO: 314/97

MONDAY the 11th day of FEBRUARY 2002

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

Hon'ble Smt. Shanta Shastri, Member (A)

O.P. Sharma
Retired Head TTE
C/o G.S. Walia,
Advocate, High Court
16, Maharashtra Bhavan,
Bora Masjid Street,
Fort, Mumbai.

...Applicant

By Advocate Shri G.S. Walia.

V/s

1. Union of India through
General Manager
Western Railway
Headquarters Office,
Churchgate, Mumbai.
2. Divisional Railway Manager
Bombay Division,
Western Railway,
DRM's Office
Bombay Central, Mumbai.
3. Sr. D.C.S.
Bombay Division,
Western Railway,
DRM's Office,
Bombay Central, Mumbai.

...Respondents.

By Advocate Shri V.S. Masurkar.

ORDER (ORAL)

{Per S.L.Jain, Member (J)}

This is an application under Section 19 of the Administrative Tribunals Act 1985 for the declaration that the applicant is entitled to the promotion and fixation of pay in the

Per S.L.Jain

...2...

scale of Rs. 1600 - 2600 (RPS) and Rs. 2000 - 3200 (RPS) with effect from 21.5.1991 and 3.3.1993 respectively with reference to his juniors S/Shri Ingale and Hariram Goud alongwith arrears and other consequential benefits in respect of the above.

2. The respondents in para 16 of the written statement stated as under:

It is submitted that now in the cadre of Head TTE the applicant was given adhoc promotion and the same was regularised in the restructuring of cadre with effect from 1.3.1993 and he has been given benefits of promotion to the pay scale of Rs. 1600 - 2660(RP) and 2000 - 32000 (RPS) with reference to the date of his junior and nothing more can be granted to the applicant and therefore the application is clearly misconceived and hence should be dismissed.

3. In view of the statement of respondents, the learned counsel for the applicant stated that the respondents have granted the relief as prayed for by him, but in case no action is taken in pursuance of the same the respondents should take action and provide the said benefit.

4. The learned counsel for the respondents also placed before us the departmental file and on perusal of the same we find that there is a noting to the said effect.

5. In the result OA is disposed of and it is ordered that in case the said benefits have so far not ^{been} provided to the applicant the same should be provided to him. No order as to costs.

Shanta Shastri
(Smt. Shanta Shastri)
Member(A)

S.L. Jain
(S.L. Jain)
Member(J)