

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

AT HYDERABAD

OA.195/90

OA.312/90

O.A. No.313/90 &

Dt. of Decision 4-3-93

O.A. No.314/90

N.G. Patil, S.B.Naik, T.M. Elias &

M. Chandrasekara Rao

Petitioner

G.V. Subba Rao

Advocate for  
the petitioner  
(s)

"Versus"

UOI, rep. by the Secretary(Estt), Railway Board,  
Rail Bhavan, New Delhi and another

Respondent.

D. Gopal Rao/N. Rajeswara Rao

Advocate for  
the Respondent  
(s)

CORAM

THE HON'BLE MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

THE HON'BLE MR. R. BALASUBRAMANIAN, MEMBER(ADMN.)

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters 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?
5. Remarks of Vice-Chairman on Columns 1,2,4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench.)

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HVNRJ  
VC

Y  
HRBS  
M(A)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

OA.195/90  
OA.312/90  
OA.313/90  
OA.314/90

date of decision : 4-3-1993

1. N.G. Patil (OA.195/90)
2. S.B. Naik (OA.312/90)
3. T.M. Elias (OA.313/90)
4. M. Chandrasekara Rao (OA.314/90) : Applicants

versus

Union of India, rep. by  
1. The Secretary (Estt.)  
Railway Board  
Rail Bhavan  
New Delhi

2. The Chief Personnel Officer  
South Central Railway  
Railnilayam  
Secunderabad

: Respondents

Counsel for the Applicants : G.V. Subba Rao  
Advocate

Counsel for the Respondents : D. Gopal Rao, Standing  
Counsel for Railways

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. BALASUBRAMANIAN, MEMBER (ADMN.)

Judgement

(Orders as per Hon. Mr. R. Balasubramanian, Member (Admn)

These applications are filed claiming a relief to declare the applicants herein are entitled for stepping up of their pay and allowances in the revised scales of Rs.1400-2300 attached to the post of Head Clerk/Sub Heads on par with their junior Sri G.R. Biware, whose pay was fixed at Rs.1600/- w.e.f. 11-10-1986 taking into account the special pay of Rs.70/- drawn

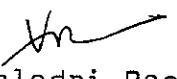
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by him in the category of Senior Clerk, and consequently direct the Respondents to fix the pay and allowances of the applicants herein accordingly, with all the attendant benefits of pay fixation and the consequential benefits of arrears of salary and allowances etc. by setting aside the letter No.P.EST/487/III/PC dated 9-3-89 and 9-1-90 issued by the CPO/SCR/SC as illegal, arbitrary, discriminatory and unconstitutional, violative of Articles 14, 16 and 39(d) of the Constitution, and to pass any other order or orders as the Tribunal may deem fit and proper in the interest of Justice.

2. The case before us is identical to the points involved and is covered in OA.192/90. Hence, following the Judge-  
ment in OA.192/90, we give the same direction herein also,  
viz. :

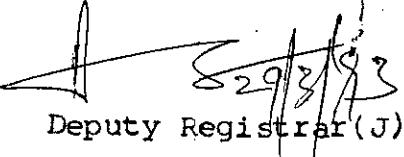
The stepping up of salary of the applicants as the Head Clerks/Sub Heads has to be made from the date on which the pay of their juniors is higher than their pay. The arrears on such fixation have to be paid within three months from today.

3. The OA is ordered accordingly. No costs.

  
(V. Neeladri Rao)  
Vice-Chairman

  
(R. Balasubramanian)  
Member (Admn)

Dated : March 4, 1993  
Dictated in the Open Court

  
Deputy Registrar (J)

To

1. The Secretary (Estt.) Railway Board, Rail Bhavan, New Delhi.
2. The Chief Personnel Officer, S.C.Rly, Railnilayam, Secunderabad.
3. One copy to Mr.G.V.Subba Rao, Advocate, CAT.Hyd.
4. One copy to Mr.D.Gopal Rao, SC for Rlys CAT.Hyd.
5. One spare copy.

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TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CHECKED BY APPROVED BY

HYDERABAD BENCH

HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD

THE HON'BLE MR. JUSTICE V. Neeladri Rao -  
V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY : M(J)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 4-3-1992

~~ORDER/JUDGMENT:~~

R.A. / C.A. / M.A. No.

in

O.A. No. 195/90, 312, 313 & 314/90

T.A. No.

(W.P. No. )

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

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