

# Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 152/91

Date of Decision : 2.7.1992

T.A.No.

<u>M. Subba Reddy</u>	Petitioner.
<u>Mr. G. Ramachandra Rao</u>	Advocate for the petitioner (s)
Union of India per General Manager, S.C.Rly, Rail Nilayam, <u>Secunderabad and another.</u>	Respondent.
<u>Mr. V. Bhimanna</u>	Advocate for the Respondent (s)

CORAM :

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

THE HON'BLE MR. T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

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 Judgment ?
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)

(HBBS)  
M(A)

(HTCSR)  
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.152/91

Date of order: 2.7.1992

BETWEEN:

M.Subba Reddy

.. Applicant.

A N D

1. Union of India per General  
Manager, South Central Railway,  
Rail Nilayam, Secunderabad.
2. Divisional Railway Manager,  
South Central Railway, Guntakal. .. Respondents.

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Counsel for the Applicant

.. Mr.G.Ramachandra Rao

Counsel for the Respondents

.. Mr.V.Bhimanna

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CORAM:

HON'BLE SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

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(Order of the Division Bench delivered by  
Hon'ble Shri R.Balasubramanian, Member (Admn.) P.

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.. 2 ..

This is an application filed by the applicant Sri M.Subba Reddy with a prayer to direct the respondents to declare that the applicant is deemed to have been promoted to the post of Travel<sup>l</sup> Ticket Inspector in the grade 1600-2600 and the next higher grade of Chief Travelling Ticket Inspector (2000-3200) w.e.f. the dates when his immediate junior Sri A.Venkatamani was promoted to the said post with all consequential benefits including arrears of pay.

2. Sri G.Ramachandra Rao, Advocate for the applicant and Mr.V.Bhimanna, Standing Counsel for the respondents are present. Heard both sides.

3. Learned counsel for the applicant Sri G.Ramachandra Rao drew our attention particularly to the letter dated 6.3.1990 of the Divisional Officer, Guntakal (Annexure-4 to the application). In that letter it has been clearly stated by the Railway authorities that his subsequent reversion to the scale Rs.1200-2040 as senior T.C. is considered as an administrative error. This would mean that he should be deemed to be continuing in the scale Rs.1400-2300 w.e.f. 6.1.1981 itself in terms of Railway Boards letter No.E(NG)11/77/RE-3-2 dated 2.9.1977. Sri G.Ramachandra Rao drew our attention further to the revised seniority position of the Ticket checking staff in the scale Rs.1600-2660. (material paper 19 of the application). In that list Sri Subba Reddy, the applicant <sup>figures</sup> shows above Sri Venkataramani for the date of promotion.


4. The factual position has <sup>not</sup> been disputed. Under these circumstances we have no hesitation in directing the respondents to treat the applicant as continuing in the scale Rs.1400-2300 w.e.f. 6.1.1981

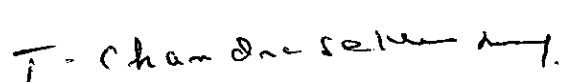
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.. 3 ..

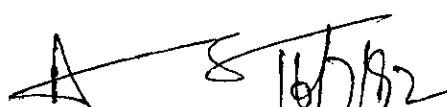
~~and this was~~ <sup>as</sup> admitted by the respondents in their letter dated 6.3.1990 <sup>and</sup> to consider the applicant for promotion <sup>both</sup> to the scales <sup>Rs.1600-2660</sup> and ~~also~~ 2300 from the dates on which Sri Venkatamani <sup>or his juniors were</sup> ~~was~~ promoted. If <sup>ed</sup> considerable fit for promotion in accordance with rules and regulations the applicant shall be given notional promotions w.e.f. ~~at due~~ <sup>dates.</sup> ~~at least the same day as Sri Venkatamani or his juniors.~~

The payment of arrears may further be decided by the Railways in accordance with law. The respondents are directed to comply with the directions within a period of 3 months from the date of receipt of this order. With the above said directions the application is disposed of with no order as to costs.

  
(R. BALASUBRAMANIAN)  
Member (Admn.)

  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

Dated: 2nd July, 1992

  
Deputy Registrar (J)

(Dictated in the Open Court)

- To
1. The General Manager, Union of India, S.C.Rly, Railnilayam, Sec'bad
  2. The Divisional Railway Manager, S.C.Rly, Guntakal.
  3. One copy to Mr. G. Ramachandra Rao, Advocate, CAT, Hyd.
  4. One copy to Mr. V. Bhimanna, SC for Rlys. CAT Hyd.
  5. One spare copy.

pvm.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH.  
THE HON'BLE MR.

AND

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

AND

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

AND

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

Dated: 2 - 7 - 1992

ORDER / JUDGMENT

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

in

O.A. No. 152/91

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.

pvm.

