

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

OA.782/91

date of decision : 26-8-93

1. V. Dharma Rao
2. Smt. M.B. Benjamin
3. R.V. Rao
4. N. Appa Rao
5. S. James
6. G. Robuts
7. V. Surya Rao
8. Y. Venkata Rao
9. N. Srinivasa Rao
10. N.B. Sarma
11. P. Shanmukha Rao
12. K. Sreedhar
13. Ch. Rama Murthy
14. K.N. Murthy
15. J. Venkata Rao
16. T.N. Murthy
17. V. Gopal
18. V.M. Muralidhar Rao
19. G.R.M. Rao
20. B. Jagannadha Rao
21. V.S.N. Murthy
22. G. Appa Rao Reddy
23. M.V. Ramana Rao
24. N.A.N.P. Sai Baba
25. P.K. Ghetty
26. D.S. Reddy, and
27. G. Laxmana Rao

: Applicants

Versus

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

2. The Railway Board, rep. by  
The Chairman  
New Delhi

3. The Divisional Railway Manager  
South Eastern Railways  
Waltair  
Visakhapatnam

: Respondents

Counsel for the applicants

: K.V. Subrahmanya Narusu  
Advocate

Counsel for the respondents

: N.R. Devaraj,  
SC for Railways

CORAM

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

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. P. T. Thiruvengadam, Member (Admn.)

Heard Sri K.V. Subrahmanya Narasu, learned counsel for the applicants and Sri N.R. Devaraj, learned counsel for the respondents.

2. At the time of filing this OA, the applicants were working as OS Grade II and Head Clerks except for applicants 1 & 13, who had retired from service as Head clerks. All these applicants were promoted as Head Clerks w.e.f. 1-1-1984 and ~~that~~ <sup>as</sup> the pay of ~~these~~ Head Clerks was/is lower than the pay of their juniors who were promoted as Head clerks later. This OA has been filed praying for a direction to the respondents to step-up the pay of the applicants to that of their juniors who were promoted later <sup>than</sup> to the applicants as Head clerks but drawing higher pay than the applicants, with all consequential benefits.

3. Similarly placed Head clerks had filed OA.192/90 before this Bench praying for a direction to refix their pay on their promotion as Head clerks w.e.f. 1-1-1984 on notional basis duly treating them as having been granted Rs.35/- as special pay while they were working as Senior Clerks and for payment of arrears w.e.f. 1-9-1985. This OA was disposed of by order dated 4-3-93 as under :

"In the result, 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."

4. The issues raised in this OA are similar to the ones raised in OA.192/90 and accordingly the same direction has to be given in this OA also.

5. This OA is ordered with a direction that stepping up of salary of the applicants as Head Clerks has to be made on the date on which the pay of their juniors was higher than their pay. As regards the applicants 1 & 13, who have retired from service, the same benefits will be extended with corresponding to fixation in retirement benefits. Arrears of such fixation has to be paid within three months from today.

6. OA is ordered accordingly. No costs.

(P.T. Thiruvengadam)  
Member (Admn.)

(V. Neeladri Rao)  
Vice-Chairman

Dated : August 26, 93  
Dictated in the Open Court

Dy. Registrar (Judl.)

sk

Copy to:-

1. The Secretary (Estt.), Ministry of Railways, Railway Board, ~~XXXXXX~~ Union of India, New Delhi.
2. The Chairman, Railway Board, New Delhi.
3. The Divisional Railway Manager, South Eastern Railways, Waltair, Visakhapatnam.
4. One copy to Sri. K.V. Subrahmanya Narusu, advocate, High Court Advocates Association, Hyderabad.
5. One copy to Sri. N.R. Devaraj, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

9/2/93  
11/1/93

O.A. 782/91

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

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

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

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

AND

THE HON'BLE MR. P. T. EIRUVENGADAM : M(A)

Dated: 26/8/1993

ORDER/JUDGMENT:

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

O.A.No.

~~T.A.No.~~

(M.P.)

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

