

(85)

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.P. No. 43/93
O.A. No: 320/91

Date of decision: 27.9.93

Between

1. R. Venkateswara Rao
2. T. Ramesh
3. D. Narsinga Rao
4. R.G. Kanakaraj
5. Madam Mohan Patro
6. K.L.N.Rao
7. S. Ramamuja Rao
8. A.V.S. Devicharam
9. S. G. Murty
10. P.S.R. Murty
11. B.S.R. Mohan Reddy
12. P. Divakar Babu
13. M. Ramamjaneeyulu
14. L. Vijaya Kumar
15. S.B.V. Krishna
16. C. Nanda Kishore
17. K. Amarnath
18. Mohd. Ishaq
19. M.S.V.S.S. Sarma
20. Sk. A.K. Basha
21. U. Nageswara Rao
22. G. Satya Sai
23. K. Bhaskar Rao
24. R. Shankar Reddy

.. Applicants

And

1. Union of India rep. by
A.N. Shukla, Chairman,
Rly. Board, Rail Bhawan,
New Delhi - 110001;
2. D.C. Mishra,
General Manager, S.C. Railway,
Secunderabad-500025

.. Respondents

Appearance:

Counsel for the applicants : Sri C. Suryanarayana

Counsel for the respondents : Sri V. Bhimanna

CORAM:

The Hon'ble Mr. A.B. Gorthi, Member (Admn.)

The Hon'ble Mr. T. Chandrasekhar Reddy, Member (Judl.)

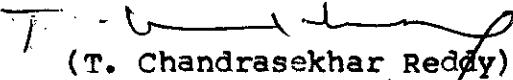
J u d g e m e n t

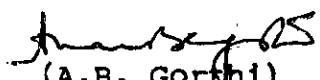
[As per the Hon'ble Mr. A.B. Gorthi, Member (Admn.)]

All these applicants are those who were selected as Commercial Apprentices during 1983-86. They were, at that time given the revised pay scale of Rs.1400-2300 which came into effect from 1-1-1986. In 1987 the Railway Board issued a notification prescribing the higher scale of Rs.1600-2600 for those who were appointed after apprenticeship as Traffic/Commercial Apprentices. The Traffic Apprentices who were selected prior to 15-5-87 were not given the higher scale of Rs.1600-2600. Some of them approached Madras Bench of the Tribunal which directed the respondents that the applicants therein should also be given the pay scale of Rs.1600-2600. While considering a review application in that case, the Madras Bench further observed that the decision of the Tribunal would be applicable to the entire category of Traffic/Commercial Apprentices in service as on date when the new scheme came into operation. Thereafter a full bench of the Tribunal observed that similarly situated employees who were denied the benefit of the judgement of the Tribunal of the Madras Bench should more appropriately file contempt petition for securing benefit of the judgement of the Madras Bench to them also. Accordingly, this O.A.No. 320/91 was converted into Contempt Petition No.43/93.

2. We have heared learned counsel for both the parties. Mr. V. Bhimanna, learned counsel for the respondents stated

that the applicants herein are similarly situated as those governed by the judgement by the Madras Bench of the Tribunal. Keeping in view the consistent directions issued by the Madras Bench, and the Ernakulam Bench of the Tribunal, we find no reason to take a different view in the matter. Following the judgements already given by the other Benches of the Tribunal, we hereby direct the respondents to fit the applicants in the scale of pay of Rs.1600-2600 with effect from 15-5-1987, and to allow them all consequential benefits, both monetary and otherwise. This shall be done within a period of three months from the date of communication of this judgement.


(T. Chandrasekhar Reddy)
Member (Judl.)


(A.B. Gorchi)
Member (Admn.)

Dated 27.9.1993
Dictated in the open court.


Deputy Registrar (S)

To A.N.Shukla

1. The Chairmn, Union of India, Railway Board, Railbhavan, New Delhi-1.
2. D.C.Misra, General Manager, S.C.Railway, Secunderabad-25.
3. One copy to Mr.C.Suryanarayana, Advocate, CAT.Hyd.
4. kmv One copy to Mr.v.Bhimanna, SC for Rlys, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm


27.9.93