

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.P.No.44/93

in

O.A.No.951/92

Date of Order: 23.8.1993

BETWEEN :

Y.Subrahmanyam

.. Petitioner

A N D

1. Union of India,
rep. by Sri A.Ramjee,
General Manager,
S.E.kailway,
Garden Reach,
Calcutta - 43.

2. Sri I.K.Mozundar,
Principal FA/CAO,
S.E.Railway,
Garden Reach,
Calcutta - 43.

.. Respondents.

Counsel for the Petitioner

.. Mr.Y.Subrahman
(party-in-)

Counsel for the Respondents

.. Mr

CORAM :

MEMBER (ADMN.)

SHRI A.D.

SHRI T.CHANDRASEKHARAREDDY : MEMBER (JUDL.)

Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.).

The allegation in this Contempt Petition is that our judgement order dated 22.1.1993 in O.A.951/92 has not been complied with by the respondents. In that order a direction was given to the respondents to pass final orders on the various representations which were made by the applicant and which were pending. The representations were to be disposed of in terms of the Railway Board's letter dated 19.9.1980. Consequential benefits if any also were to be given to the applicant within 4 months from the date of communication of that order.

2. The respondents have filed a counter affidavit which is to the effect that in compliance with our judgement order the pay of the applicant has been fixed at par with that of his junior Sri D.V.S.Murthy. Complete details of the pay refixed w.e.f. 1.2.1987 to 1.7.1990 were duly worked out and communicated to the applicant vide memo dated 16.8.1993 ^{and} all the arrears there from also have since been paid. The respondents ^{admit} attempt to state that there has been some delay in complying with Tribunal's ~~our~~ judgement because a reference had to be made to the Railway Board as several other individuals also were similarly affected.

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3. In view of the afore-stated it is obvious that the respondents had complied with our judgement, ^{though} not in time.

4. The applicant, ⁱⁿ who ~~is~~ appear before us in-person, has contended that on his ^{next} promotion ^{to} the senior scale w.e.f. 19.1.1989 his pay should have been refixed under FR 22 (C) and not under FR 22 (A) (1) as was done by the respondents. In this context the respondents have explained that the fixation of the applicant's pay in senior scale under FR 22 (C) is not permissible. They have also clarified in their memo dated 16.8.1993 as to why the pay of the applicant was fixed under FR 22 (A) (1). If the applicant feels aggrieved by the same, he can approach the Tribunal separately, for that is not a part of either ~~of~~ our judgement order dated 22.1.1993 or the initial relief sought by him in O.A. 951/92. The Contempt Petition is therefore dismissed. Notices issued if any shall stand discharged. There shall be no order as to costs.

T. Chandra Sekhara Reddy
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

(A.B. GORTNI)
Member (Admn.)

Dated: 23rd August, 1993

(Dictated in Open Court)

Deputy Registrar

To

1. ~~The~~ sd
1. Sri A. Ramjee, General Manager, S.E. Rly, Garden Reach, Union of India, Calcutta.
2. Sri I.K. Mozundar, Principal FA & CAO, S.E. Rly Garden Reach, Calcutta.
3. One copy to Mr. Y. Subrahmanyam, Party-in-person, 45-58-7 Narasimhanagar, B.P.O. Saligramapuram, Visakhapatnam.
4. One copy to Mr. N.R. Devraj, SE. for Rlys. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
6. One spare copy.