

21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

OA 800/92.

Dt. of Order: 17-12-93.

G.Raja Sekharan

...Applicant

Vs.

1. Union of India rep. by Chairman,
Railway Board, Rail Bhavan,
New Delhi-110 001.
2. General Manager, SC Rlys, Sec'bad.
3. Divisional Railway Manager,
SC Rlys, Guntakal Division,
Guntakal.
4. Sr.Divisional Personnel Officer,
SC Rlys, Guntakal.

...Respondents

--- --- ---

Counsel for the Applicant : Shri K.S.Murthy

Counsel for the Respondents : Shri D.Francis Paul, SC for Rlys

--- --- ---

CORAM:

THE HON'BLE SHRI T.CANDRASEKHAR REDDY : MEMBER (J)

--- --- ---

....2.

500
g

2. Counter is filed by the respondents opposing this OA.

3. We have heard both the sides. In the counter filed by the respondents it is maintained that pay of the applicant had been stepped up equal to the ^{his junior} applicant Peda Ramaiah with effect from 17.8.87 and that his pension has also been fixed accordingly and all the arrears due to the applicant had been paid, after the stepping up the pay of the applicant equal to the junior Peda Ramaiah.

4. The Memorandum dt. 28.12.88 issued by the South Central Railway, Divisional Office, Personnel Branch, Guntakal would go to show that the pay of the applicant had been stepped up equal to that of Peda Ramaiah at Rs. 1400 with effect from 17.8.87. So as the pay of the applicant had been stepped up equal to the Peda Ramaiah from the date of the promotion of said Peda Ramaiah, to the post of Works Maistry, the applicant certainly cannot complain with regard to the stepping of his pay. So as the respondents have complied with the prayer of the applicant in stepping up of the pay of the applicant equal to junior Peda Ramaiah, no orders are liable to be passed in favour of the applicant with regard to the stepping up of the pay of the applicant.

T. C. M.

ORDER

(As per Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.))

The applicant while working as Works Maistry at Gooty in Guntakal, A.P. retired on 31.8.88 on Superannuation. The applicant was in the pay scale of Rs. 1400 - 2300 in the said post of Works Maistry. The basic pay of the applicant at the time of retirement was Rs. 1400. After the retirement the applicant came to know that one Peda Ramaiah who was junior to the applicant, was drawing more pay than the applicant. According to the applicant, the said Peda Ramaiah was junior to the applicant was drawing ~~the time of taking over~~ ~~the time of taking over~~ basic pay of the Rs. 1400. So the applicant approached the competent authority to step up his pay equal to his junior Peda Ramaiah and grant him all the consequential benefits. According to the applicant, the competent authority did not respond to the representation and so the applicant, has filed the present OA for the following reliefs, namely— to step up the pay of the applicant equal to the ^{his} rest of juniors and to pay him the arrears of salary, Leave Salary arrears, Bonus arrears, Difference in pension, Commutation due, Gratuity due, H.R.A. due ~~to him~~ and he has also prayed for interest at the rate of 18% per annum on the above arrears ~~for all~~ ^{that will be due} payment ~~due~~ to ~~him~~.

T. C. M.P.

-4-

5. Annexure 2 to the OA to the proceedings issued by the Divisional Office, Personnel Branch, Guntakal dated 4.5.89. From the said proceedings it is evident that superannuation pension of the applicant with effect from 1.9.88 had been fixed at Rs. 673 per month, on the basis of the pay, which the applicant had drawn before the stepping up the pay of the applicant and that the pension had been revised at Rs. 702/- per month with effect from 1.9.88. ~~as the application was also for gratuity~~ The said proceedings shows that the retirement gratuity and the commuted value of pension had also been revised and that the difference of the amounts had been ordered to be paid to the applicant. So as could be seen, on the basis of the pay that was stepped up, ~~and then~~ the pension of the applicant ~~can be~~ fixed gratuity and commuted value of pension had also been paid.

6. In the counter filed by the respondents it is made clear that after adding 10 days of joining time to the leave account of the applicant that the difference in leave salary of Rs. 615/- has been paid to the applicant through bill No. 1107 dt. 15.5.89. So it is evident towards leave salary also the respondents have paid the amount to the applicant. So far the arrears of bonus is concerned, Mr. Francis Paul ~~submitted~~ admitted that the applicant had reached the ceiling limit on the basis ~~of~~ ^{of} the pay which he was receiving before the stepping up, and that the applicant is not

entitled to any further amount towards the bonus arrears and nothing is liable to be paid to him towards bonus in view of stepping up of the pay.

7. So as seen, the respondents have paid to the applicant all the benefits for which he is entitled consequent on the stepping of the pay of the applicant equal to the that of junior Peda Ramaiah. So as no relief is due to be granted to the applicant, this OA is liable to be dismissed and accordingly dismissed.

T. Chandrasekhara Reddy
(T. CHANDRASEKHARA REDDY)
MEMBER (JUDL.)

Dated : The 17th December 93.
(Dictated in Open Court).

8/1/94
Deputy Registrar (Judl.)

spr

Copy to:-

1. Chairman, Railway Board, Union of India, Rail Bhavan, New Delhi-001.
2. General Manager, S.C.Rlys, Secunderabad.
3. Divisional Railway Manager, SC Railway, Guntakal Division, Guntakal.
4. Sr. Divisional Personnel Officer, S.C.Railways, Guntakal.
5. One copy to Sri. K.S.Murthy, advocate, advocates, Associations, High Court, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.
8. One copy to Sri. D.Francis Paul, SC for Rlys, CAT, Hyd.

Rsm/-

O.A. 81

TYPED BY

COMPARED

CHECKED BY

APPROV.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

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

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER

AND

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

AND

THE HON'BLE MR.R.RANGARAJAN : MEMBER(A)

Dated: 72/14/1993

ORDER/JUDGMENT:

M.A/R.A/C.A.NO.

O.A.No.

in
20679

T.A.No.

(W.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.

