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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.725/93

Date of Order: 10.8.93.

BETWEEN:

Dr.K.Jalajah

.. Applicant.

A N D

1. Government of India,
represented by its Secretary,
Ministry of Railways,
New Delhi.
2. The Chairman, Railway Board,
Rail Bhavan, New Delhi.
3. The General Manager,
South Central Railway,
Secunderabad.
4. The Chief Personnel Officer,
South Central Railway,
Secunderabad.

.. Respondents.

Counsel for the Applicant

..Mr.K.K.Chakravarthy
for
Mr.G.Bikshapathy

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

HON'BLE SHRI A.B.GORTHI : MEMBER (ADMN.)

MON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

15/8/93

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

The grievance of the applicant is that the respondents have illegally and arbitrarily denied him the pay for the Month of April 1993.

2. The applicant is presently the Medical Superintendent in South Central Railway. While he was working at Purna he was transferred to Donakonda. Aggrieved by the order of transfer he filed OA 772/92. It was disposed of with a direction to the respondents to consider the representation that was pending with them. The applicant filed another OA 900/92 against the order of the respondents dated 6.10.1992.

3. The applicant filed yet another OA.301/93 after the Chairman of the Railway Board rejected the request for his retention at Purna. In the present application, we would not like to be influenced by the merits or otherwise of the applications filed by the applicant including those which are pending. In this case the short prayer of the applicant is for payment of his salary for the month of April, 1993 which was not paid to him on 1st May, 1993.

4. The learned counsel for the respondents Mr. N.R.Devraj, has clarified that the applicant has been relieved from his post at Purna w.e.f 15.4.93 and that there was a mistake in a communication where the date on which he was relieved was shown as 5.4.93. It is admitted on behalf of the respondents that the applicant was not absent for any part of the month of April 1993 and that he is entitled to his full pay and allowance for the said month. However, the

20/10/93
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Copy to:-

1. Secretary, Ministry of Railway, Government of India, New Delhi.
2. The Chairman, Railway Board, Rail Bhavan, New Delhi.
3. The General Manager, South Central Railway, Secunderabad.
4. The Chief Personnel Officer, South Central Railway, Secunderabad.
5. One copy to Sri. G.Bikshapathy, advocate, CAT, Hyd.
6. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

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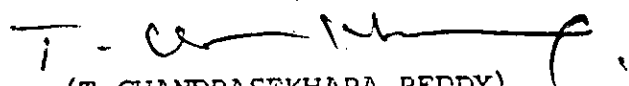
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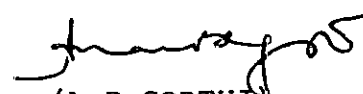
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LPA in respect of the applicant could not be sent in time and consequently the applicant could not be paid his salary on 1st May, 1993. It is now admitted that the salary for the month of April had been paid to the applicant on 17.7.1993.

5. In view of above there is nothing left for our adjudication. It is ofcourse, a matter of serious concern that the respondents should have taken the matter of preparation of LPA in such a casual manner that it was not sent to the concerned authority ~~promptly~~ in time. Had the respondents acted ~~deligently~~ ^{compelled}, the applicant would not have been ~~compelled~~ to come to the Tribunal to seek a ~~trivial~~ remedy of this nature.

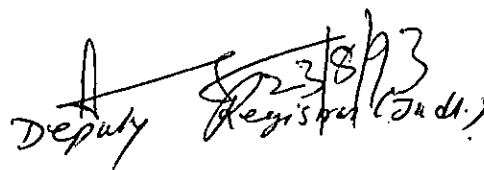
6. With these observations, the O.A. is dismissed at the admission stage itself. There shall be no order as to costs.


(T. CHANDRASEKHARA REDDY)
Member (Judl.)


(A.B. GORTHI)
Member (Admn.)

Dated: 10th August, 1993
(Dictated in Open Court)

sd/ad


Deputy Registrar (Judl.)

Contd - - 4/-

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O.A. 725/93

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

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. GORTY : MEMBER (AD)

AND

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

AND

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

Dated : 10/8/1993

ORDER/JUDGMENT:

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

in

O.A.No.

725/93

T.A.No.

(w.p.)

Admitted and Interim directions
issued

Allowed

Disposed of with directions

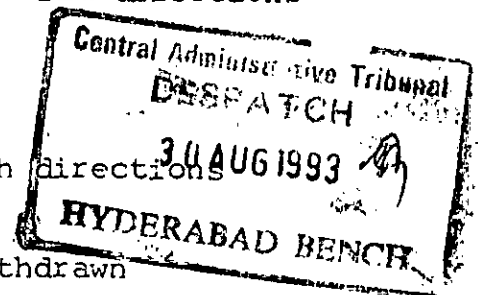
Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/ Ordered

No order as to costs.



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