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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No.438/93.

(PER HON'BLE SHRI JUSTICE B.C.SAKSENA, VICE-CHAIRMAN,
ALLAHABAD BENCH.

Date: August 30, 1996.

Between:

1. H.J.Venkatacharyulu.
2. J.Chandrasekhar.
3. B.V.Subba Rao.
4. M.N.Ramesh.
5. S.Appa Rao.
6. K.Rajasekhara Reddy.
7. I.V.Raghava Rao.
8. J.Jude Mathias.

Applicants.

And

1. The Chief Personnel Officer,
South Central Railway,
Secunderabad.
2. The Senior Divl. Personnel Officer,
South Central Railway,
Guntakal.

Respondents.

Counsel for the Applicants: Mr. V.Krishna Rao.

Counsel for the Respondents: Mr. J.R.Gopal Rao, Standing
counsel for Railways.

CORAM:

HON'BLE SHRI JUSTICE B.C.SAKSENA, VICE-CHAIRMAN, ALLAHABAD BENCH.

HON'BLE SHRI ~~H.~~ RAJENDRA PRASAD, MEMBER (A)

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O.A. No. 438/93.

(PER HON'BLE SHRI JUSTICE B.C.SAKSENA, VICE-CHAIRMAN,
ALLAHABAD BENCH.

Date: August 30, 1996.

When the case was called, the learned counsel
for the applicant ^{did appear} ~~not present~~. We have heard the
learned counsel Sri Krishna Mohan for Sri J.R.Gopal
Rao, counsel for the Respondents.

2. Through this O.A., the applicants have
raised the grievance that though as per Railway
Board's letter dated 30-11-1982 (copy thereof has
been filed as an Annexure) the semi-skilled
posts of ATCMs., were not given the benefit of
reclassification of un-skilled Khalisies to semi-
skilled Khalasies. The Railway Board by the
subsequent letter copy of which has been filed
(Annexure R-2) extended the re-classification as
made by letter dated 24-11-1982 to the categories
of AESMs., ATCMs., AWMAs., and AMISMs. The applicants'
case that ~~80~~ ATCMs., in the Guntakal Division with-
out undergoing any training and passing any test
were promoted as CTMS and have been shown senior
to the applicants in the seniority list dated .
The pleadings in the O.A., are vague. Neither the
seniority list has been annexed nor the names of
the persons above whom the applicants seek assign-
ment of seniority have been impleaded as respondents,
nor the names have been given in the O.A.

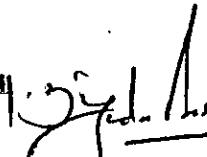
Reb

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In the first place, the O.A., deserves to be dismissed on the ground of non-joinder of necessary parties.

3. Even on merits, we do not find any case made out. The respondents in the counter-affidavit have explained that the applicants were directly recruited after their training to the skilled category of ATCMs., Persons who were working as un-skilled artisans by reasons of the application of the re-classification by Railway Board's letter dated 19-7-1988 they were given the benefit of re-fixation of their pay in the scale with retrospective effect from 1-8-1978. Consequently, the un-skilled artisans were ~~en masse~~ upgraded to the skilled category and given proforma ^{they} retrospective effect from 1-8-1978 and thus/have been assigned higher seniority position than the applicants. The explanation given in the counter affidavit appears to be justified. There is no merit in the O.A., It is accordingly dismissed.

Costs easy.


H. RAJENDRA PRASAD,
MEMBER (A)


B.C. SAKSENA, J.
VICE-CHAIRMAN,
ALLAHABAD BENCH.

Date: August 30, 1996

Pronounced in open Court.

*Arshya
3 P.M.
Dy. Registrar (S)*

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OA. 438/93.

Copy to:-

1. The Chief Personnel Officer, S.C.Rly, Secunderabed.
2. The Senior Divisional Personnel Officer, South Central Railway, Guntakal.
3. One copy to Sri. V.Krishna Rao, Advocate, CAT, Hyd.
4. One copy to Sri. J.R.Gopala Rao, SC for Rlys, CAT, Hyd.
5. One copy to ~~gxx~~ Library, CAT, Hyd.
6. One spare copy.

Rsm/-

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

(Alphabetical Order)
Hon Mr. Justice B.C. Saksena, V.C.
THE HON'BLE SHRI B. RANGARAJAN: M(A)
H. Rajendrap.

DATED: 30/8/96

ORDER/JUDGEMENT
D.A. NO./R.R./C.P. NO.

D.A. NO.

43893

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT
Central Administrative Tribunal
DESPATCH

18 SEP 1996

हैदराबाद न्यायपीठ
HYDERABAD BENCH

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
DESPATCH

- 9 SEP 1996

हैदराबाद न्यायपीठ
HYDERABAD BENCH