

(85)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1103/93

Date of Order : 7.11.96

BETWEEN:

Y.Subrahmanyam

.. Applicant.

AND

1. General Manager,
S.E.Rly., Garden Reach, Calcutta-43.

2. Principal FA & CAO,
S.E.Rly., Garden Reach, Calcutta-43.

3. FA & CAO (S&C),
S.E. Rly., Visakhapatnam.

4. Sr. DivlAccounts Officer,
S.E.Rly., Visakhapatnam.

.. Respondents.

Counsel for the Applicant

.. Mr.Y.Subrahmanyam
Party-in-Person.

Counsel for the Respondents

..Mr.N.R.Devraj

CORAM:

HON'BLE SHRI H. RAJENDRA PRASAD : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

J U D G E M E N T

X Oral orders as per Hon'ble Shri H.Rajendra Prasad; Member (Admn.) X

Heard Mr.Y.Subrahmanyam, Party-in-Person and Mr.W.

Satyanarayana, for Mr.N.R.Devraj, learned standing counsel
for the respondents.

2. The main grievance of the applicant in this case was
already decided once in OA.951/92 disposed of on 22.1.93 with
a direction that the claim of the applicant be settled in terms
of Railway Board Letter No.PC.IV/86/RSRP/1 dated 19.9.86 and

8/11

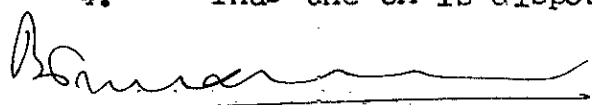
Jai
7.11.96

(86)

and further that the order shall be implemented with all consequential benefits in accordance with the rules within 4 months from the date of communication of the order. Accordingly the pay of the applicant was fixed on 16.8.93 vide Annexure-1 of this OA. It is learnt that a C.P. had been filed there- after alleging noncompliance of the direction supra. The said C.P.(No.44/93) was dismissed on 23.8.93, liberty was given to the applicant to file a fresh OA, if he was aggrieved with the decision of the respondents regarding his request to exercise a fresh option for revised fixation of pay from the date of his promotion i.e., 7.12.88. Hence this OA.

3. After hearing the party-in-Person we are not convinced that a second option is really warranted or even permissible. The main grievance of the applicant in this OA is based on the fact that the pay of his junior, Sri D.V.S. Murthy, was fixed at Rs.3300/- on 1.1.87 whereas the applicant's pay was fixed at Rs.3200/- on the same date (A-1). Taking into consideration the facts and circumstances of the case, we consider it adequate to grant liberty to the applicant to make a fresh representation, with detailed reasons and justification, to General Manager, S.E.Railway, Calcutta. This may be done within one month. The said respondent i.e. General Manager, S.E.Railway without rejecting the representation as time-barred, shall have the facts examined with reference to rules and various instructions of the Railway Board, arrive at a suitable decision and have the same finally communicated to the applicant within 60 days from the date of receipt of the applicant's representation.

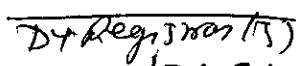
4. Thus the OA is disposed of. No costs.


(B.S. JAI PARAMESHWAR)
Member (Judl.)


(H. RAJENDRA PRASAD)
Member (Admn.)

Dated: 7th November, 1996

(Dictated in Open Court)


Dy Registrar (S)
12/11/96

: 3 :

Copy to:-

1. The General Manager, South Central Railway, Union of India, Garden Reach, Calcutta.
2. Principal FA & CAO, S.E.Rly, Garden Reach Calcutta.
3. FA & CAO (S& C), S.E.Railway, Visakhapatnam.
4. Sr. Divisional Accounts Officer, S.E.Railway, Visakhapatnam.
5. One copy to Sri. Y.Subrahmanyam, party in person, 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.

Rsm/-

27/11/96

88

~~755/93~~

OA-1103/93

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI. *H. Rajendra pd.*
~~R. RANGARAJAN~~ M(A)
Am m. B.S. Jai parameswar m (g)

DATED: 27/11/96

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

in
O.A.NO. 1103/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
~~NO ORDER AS TO COSTS.~~

YLKR

II COURT

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
वितरण / DESPATCH
21 NOV 1996
हैदराबाद ब्याचपीठ
HYDERABAD BENCH