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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD.

O.A.No.978/94.

Date of order : 18.1.96.

R.James

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Applicant

Vs.

Union of India
represented by:

- (1) General Manager, S.C.Rly.,
Secunderabad.
- (2) Chief Personnel Officer, S.C.Rly.,
Secunderabad.
- (3) FA & CAO, S.C.Rly.,
Secunderabad.
- (4) Dy. Chief Comml. Manager(Survey),
S.C.Rly., Secunderabad.

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Respondents

Counsel for the Applicant

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Shri M.C.Pillai

Counsel for the Respondents

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Shri G.S.Sanghi,
SC for Rlys.

C O R A M

Hon'ble Shri A.B.Gorthi, Member (A).

J u d g e m e n t

{ As per Hon'ble Shri A.B.Gorthi, Member (A) }.

The relief claimed by the Applicant in this O.A. is for a direction to the Respondents to treat the Applicant as confirmed in Group-D service from the date when his juniors were confirmed and to give him consequential monetary benefits.

2. The Applicant served in the Army as a Civilian Driver from 2.2.60 to 14.3.67. He was ^{thereafter} engaged as a Casual Jeep Driver under the Dy. Chief Comml. Supdt., (Engineering & Traffic Survey), S.C.Rly., Secunderabad ^{w.e.f 1-5-1977.} On completion of 360 days continuous employment he was conferred temporary status but when his juniors were confirmed in the scale of Rs.750-940 against 60% Group-D Construction Reserve Posts sanctioned the Applicant was denied similar benefit. The Applicant retired from service w.e.f. 31.12.93.

To

1. The General Manager,
South Central Railway,
Secunderabad.
2. The Chief Personnel Officer,
South Central Railway,
Secunderabad.
3. FA & CAD, South Central Railway,
Secunderabad.
4. Dy. Chief Commercial Manager, (Survey)
South Central Railway,
Secunderabad.
5. One copy to Mr. M. C. Pillai, Advocate, CAT, Hyderabad.
6. One copy to Mr. G. S. Sanghi, SC for Rlys, CAT, Hyderabad.
7. One copy to library, CAT, Hyderabad.
8. One spare copy.

YLKR

3. Learned counsel for the Respondents has shown me letter No.P/Con/677/CL/HQ/Vol.I dt. 25.5.95 issued by the Chief Administrative Officer/Con/SC. The said letter is to the effect that the Applicant was confirmed as Motor Driver w.e.f. 1.4.84 against Construction Reserve Post sanctioned under CPO/SC's memorandum of sanction No.PE/135/Con/Reserve/Vol.II dt. 28.8.85. I am also shown an office note which is to the effect that in view of the memo dt. 25.5.95 confirming the services of the Applicant w.e.f. 1.4.84, the same has been processed and that this fact would be intimated to the Tribunal.

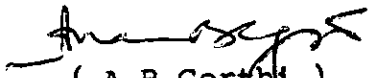
4. In view of the above, this O.A. can be disposed of with the following directions to the Respondents:-

(a) The Respondents shall consider the Applicant as confirmed as Motor Driver in the scale of Rs.260-400/950-1500 (RSRP) and recalculate all the consequential monetary benefits due to the Applicant.

(b) The pension due to the Applicant shall also be consequential revised and arrears accruing to him w.e.f. the date of his retirement shall be paid to him.

5. The above exercise shall be completed by the Respondents within a period of three months from the date of communication of this order.

6. The O.A. is ordered accordingly. No costs.


(A.B.Gorthi)
Member (A).

Dated: 22 January, 1996.

(Dictated in Open Court).

br.


22-1-96
Deputy Registrar (J)

Contd...

9/2/96

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

HON'BLE SHRI A.B.GORTHY : MEMBER(A)

HON'BLE SHRI

DATED: 18.1.96

ORDER/JUDGMENT

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

IN

C.A.NO. 978/94

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS ✓

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

NO ORDER AS TO COSTS

* * *

No spare copy

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केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal ब्रेक/DESPATCH - 5 FEB 1996 हैदराबाद : याचकीठ HYDERABAD BENCH

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