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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*

C.A.1555/94.

Dt.of Decision : 7-8-96.

P. Doraiswamy

.. Applicant.

Vs

1. The Union of India, Rep.  
by the General Manager,  
SC Rly, Rail Nilayam,  
Sec'bad.

2. The Sr.Divl.Personnel Officer,  
SC Rly, Guntakal.

.. Respondents.

Counsel for the Applicant : Miss Savithri for  
Mr. G.Parameswara Rao

Counsel for the Respondents : Mr. V.Rajeswara Rao, Addl.CGSC.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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ORDER

Oral Order (Per Hon'ble Shri R. Rangarajan, Member (Admn.))

Heard Miss Savithri for Mr.G.Ramachandra Rao,  
learned counsel for the applicant and Mr.V.Rajeswara Rao,  
learned counsel for the respondents.

2. The applicant in this OA was directly recruited  
as ASM on 2-11-70 and he was posted after training on 10-3-72.  
He was promoted to the grade of Rs.425-640/- vide memorandum  
No.G/P.676/I/6. dated 06-08-1979 (Annexure-1). He was again  
promoted to the grade of Rs.455-640/- on 13-07-84 vide memor-  
andum No.G/P.524/I/T/Volume-II (Annexure-3).

3. It is stated that while he was promoted to the  
grade of Rs.425-640/- from the grade of Rs.330-560/- in terms  
of letter dated 6-8-79 (Annexure-1) the pay of the applicant  
was fixed at the stage of Rs.440/- in the grade of Rs.425-640/-  
w.e.f. 1-1-79. It is further stated that at the time of  
promotion the applicant was drawing Rs.404/- in the scale of  
pay of Rs.330-560/- as on 1-1-79. On that basis it is stated ~~for~~  
*legitimate* that his pay should have been fixed at the stage of Rs.425/-  
w.e.f. 1-1-79 instead of Rs.440/-. The earlier fixation of  
Rs.440/- was issued vide memorandum No.G/P.676/I/6 dated 6-8-79.  
It is stated that the earlier fixation at the stage of Rs.440/-  
is an error inadvertently committed. In order to ~~segregate~~  
*rectify the* error the impugned order No. G/P.524/1/Fixation/Vol.I. dated  
11-10-1994 (Annexure-7) was issued revising his pay.

4. Aggrieved by the above he has filed this OA for  
setting aside the impugned proceedings No.G/P.524/1/Fixation  
Vol.I. dated 11-10-1994 (Annexure-7) issued by R-2, <sup>so</sup> far as  
the applicant is concerned by holding it as illegal and  
unenforceable and for a consequential direction to pay him as  
per the earlier fixation.




5. It is stated that the applicant has filed a representation dated 13-9-94 (Annexure-6). But that representation is not very clear. That representation <sup>also</sup> does not indicate the relief asked for by the applicant.

... OA No.1436/94 (R.Balanarayana Vs Railways) a direction was given ~~to~~ directing the applicant ~~to~~ a representation in regard to the refixation of pay as was done by the same order dated 11-10-94. As the applicant is also one of the ASMs whose pay was reduced by the same impugned order similar direction in this OA also ~~will be~~ <sup>is</sup> justifiable. The applicant if so advised may file a detailed representation in continuance of the representation dt. 13-9-94 (Annexure-6) and if such a representation is received R-2 should dispose of the same within three months from the date of receipt of ~~copy~~ that representation.

7. In the ~~representation~~ <sup>direction</sup> is given:-

The applicant, if so advised, may submit a fresh representation <sup>for</sup> ~~of~~ maintaining the earlier fixation of his pay in terms of proceedings No.G/P.676/I/6 dated 6-8-79 (Annexure-1) in addition to the representation dt. 13-9-94 (Annexure-6) <sup>clearly stating</sup> ~~only giving~~ the reasons for the relief asked for. If such a representation is received by ~~the~~ R-2 the same should be disposed of by him in accordance with law within a period of three months from the date of receipt of that representation.

8. The OA is ordered accordingly. No costs.

  
(R. Rangarajan)  
Member (Admn.)

Dated : The 7th August 1996.  
(Dictated in Open Court)

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Ansibari  
D.R. (J)

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D.A.NO.1555/94

Copy to:

1. The General Manager,  
South Central Railway,  
Railnilayam,  
Secunderabad.
2. The Senior Divisional Personnel Officer,  
South Central Railway,  
Guntakal.
3. One copy to Mrs ~~S~~G. Parameswar Rao, Advocate,  
CAT, Hyderabad.
4. One copy to Mr. V. Rajeswar Rao, Addl. CGSC,  
CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One duplicate copy.

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TYPED BY

APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 7/8/96

ORDER/JUDGEMENT  
O.A. NO./R.A./C.P. No.

in

O.A. NO. 1555/94

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

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II COURT

No spare copy

