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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.)

..2

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 memorandum 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 ~~from~~ ^{legends} 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 so 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.

-3-

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 also 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 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~~ be 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 direction is given:-

The applicant, if so advised, may submit a fresh representation ~~for~~ 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) ~~clearing~~ 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)


D.R. (J)

(B)

..4..

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 Mr. 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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07/8/96 07/8/96

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APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 7/8/96

ORDER/JUDGEMENT

D.A. NO./R.A/C.P. No.

in

D.A. NO. 1555/96

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DISMISSED AS WITHDRAWN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

YLKR

II COURT

No Space Copy

केंद्रीय प्रशासनिक क्षेत्रिक नियन्त्रण
Central Administrative Tribunal

प्रेषण/DESPATCH

21 AUG 1996

हृदयनगर नगरपालिका
HYDERABAD BENCH