

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A.NO.697/95

Between:

Date of Order: 8.2.96.

1. A.Elango
2. D.Shammugam

...Applicants.

And

1. The Chief Personnel Officer,
South Central Railway,
Railnilayam,
Secunderabad.
2. The Deputy Chief Mechanical Engineer,
South Central Railway,
Carriage Repair Shop,
Tirupathi.

...Respondents.

Counsel for the Applicants : Mr.K.Sudhakar Reddy

Counsel for the Respondents : Mr.C.V.Malla Reddy, CGSC.

CORAM:

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

contd...

O.A. 697/95.

Dt. of Decision : 08-02-96.

ORDER

* As per our OA No. 807/92 Shri K. Mangarajan, Member (Admn.)

There are two applicants in this OA. They filed OA.No.807/92 and that OA was disposed of by judgement dated 28-04-93. As per the judgement they have to be given notional promotion with respect to their juniors who were promoted to the higher grades in the Carriage Repair Shop, Tirupati. In pursuance of the direction these two applicants were given notional promotion ~~on~~ par with their juniors. But the applicants are aggrieved as they were not given stepping up of pay on par with their juniors, namely, one Shri A. Nagarajan. Hence they filed MA.459/94 in OA.807/92 praying for full implementation of the judgement in OA.807/92 which in their opinion includes stepping up of pay also. But that MA.459/94 was disposed of by an order dated 04-08-94, wherein I was also a party to that judgement with the direction to the effect that the applicants should submit a suitable representation to the respondents for redressal of their grievance and also directing the respondents in the MA to dispose of that representation when received as per law. The applicants were also permitted as per the orders in the MA that in case they are aggrieved by the reply to be received from the respondents they are free to approach this Tribunal by filing a fresh OA. "WPO/TPS" had disposed of that representation rejecting their

claim by the impugned order No. TR/P.524/Stepping up of pay dated 10-10-94 which is assailed in this OA.

There were two respondents in MA.459/94 in OA.807/92. They were 1) the Chief Personnel Officer, SC Rly, Secunderabad and 2) the Dy.Chief Mech. Engineer, SC Rly, Carriage Repair Shop, Tirupatī. By order in the MA the competent authorities to dispose of the representation submitted by the applicant in pursuance of the directions in MA are only the Chief Personnel Officer and the Dy.Chief Mech. Engineer. The representation of the applicant dated 26-09-94 submitted in pursuance of the directions given in MA.459/94 was disposed of by the impugned letter No. TR/P.524/Stepping up of pay dated 10-10-94 by "WPO/TPYS". Hence it is evident that the representation was not disposed of by the respondents in the MA. 459/94 as ordered by this Tribunal. There is no remark also in the impugned letter that the letter is issued with the approval/concurrence of the respondents in the MA.

3. In view of the above the impugned order is not disposed of by the competent authority to whom the direction was given in the MA. Hence it is necessary that the representation has to be disposed of only by the concerned respondents in MA.459/94 in OA.807/92. It cannot be disposed of by the "WPO/TPYS" on his own without any direction for concerned respondents. Hence the impugned order dated 10-10-94 (Page 8 and 9 of the material paper)

has to be set aside and a direction has to be given to the respondents in the MA.459/94 in DA.No.807/92 to dispose of the matter expeditiously and preferably within a period of three months from the date of receipt of a copy of this order in accordance with the rules. It is needless to say that the applicants are free to approach this Tribunal if they are aggrieved by the orders to be passed in pursuance of the directions as above by filing a fresh DA under section 19 of the A.T. Act. stage itself. No costs.



(R. Rangarajan)
Member(Admn.)



A. V. Rama Rao
DEPUTY REGISTRAR(J)

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To

1. The Chief Personnel Officer, South Central Railway, Railgulayam, Secunderabad.
2. The Deputy Chief Mechanical Engineer, South Central Railway, Carriage Repair Shop, Tirupathi.
3. One copy to Mr. K. Sudhakar Reddy, Advocate, CAT, Hyderabad.
4. One copy to Mr. C. V. Mallu Reddy, CGSC, CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One spare copy.

YLKR

26/2/96
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

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

HON'BLE SHRI R.Ranganjam: M(A)

DATED: 8.2.96.

ORDER/JUDGMENT.

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

IN

O.A. NO. 687/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED ~~REJECTED~~

NO ORDER AS TO COSTS

* * *

No Spare Copy

