

CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:
AT HYDERABAD.

O.A.NO.726 OF 1995.

DATE OF ORDER : 7TH NOVEMBER, 1997.

BETWEEN:

K. GOVARDHAN RAO ... APPLICANT

AND

1. The Divisional Railway Manager,
Hyderabad Division,
South Central Railway,
Secunderabad.
2. The General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.

RESPONDENTS

COUNSEL FOR THE APPLICANT : MR. V. MADHUSUDHAN RAO

COUNSEL FOR THE RESPONDENTS : MR. K.SIVA REDDY

CORAM :

HONOURABLE MR. R. RANGARAJAN, MEMBER (ADMN.)

HONOURABLE MR. B. S. JAT PARAMESHWAR, MEMBER (JUDL.)

Jan'

O R D E R.

(Per Hon. Mr.B.S.Jai Parameshwar,Member(Judl.))

1. None appeared for the applicant. The applicant was also absent when this O.A. was taken up for hearing. Heard Mr.K.Siva Reddy, the learned counsel for the respondents. No reply has been filed in this O.A. Hence we have decided to dispose of this O.A. on the basis of the material available on record u/s.15(1) of the Central ~~Admne~~ Tribunals Act.

2. The applicant joined as a Trained Graduate Teacher(for short,"TGT") in the Railway Upper Primary School, Nizamabad, in the grade of Rs.1400-2600/- on 2.11.1991 in a clear and permanent vacancy and has been working as such. He claims that on completion of 12 years of service, he is entitled to senior grade pay scale of Rs.1640-2900/- with effect from 2.11.1993. That scale was granted by Memorandum No.YP/594/SCR/Fixation/NC/TM/95 dated 17.2.1995, a copy of which is at page 9 of the O.A. However, that memorandum was withdrawn by the later Memorandum No.YP/594/SCH/Fixation/NC/TM/95 dated 10.3.1995 on the plea that the applicant was regularised as TGT with effect from 1.3.1984 by order No.YP/594/SCH/84 dated 6.3.1984 and on that basis he had not completed 12 years as on 2.11.1993 and that the senior grade scale of pay granted to him earlier on 17.2.1985 was irregular and hence it was withdrawn.

3. This O.A. is filed praying for setting aside the impugned order dated 10.3.1995 and granting him the senior grade scale of pay of Rs.1640-2900/- with effect from 2.11.1993.

4. As the reply has not been filed, it is not

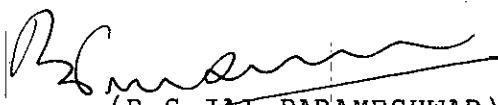
Jai

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known whether the eligibility service period of 12 years is to be counted on the basis of the regular service or on the basis of the combined service-both regular and adhoc. The impugned memorandum dated 10.3.1995 does not indicate the reasons for taking only the regular service for calculating the 12 years service period.

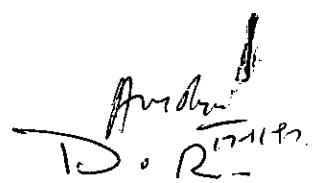
5. Hence, the respondent No.1 is directed to reply the applicant in regard to the service period to be counted on the basis of the instructions in vogue within a period of two months from the date of receipt of a copy of the order. If the applicant is aggrieved by that reply, he is at liberty to take such action as available to him under law.

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


(B.S. JAI PARAMESHWAR)
7/11/97 MEMBER (JUDICIAL)


(R. RANGARAJAN)
MEMBER (ADMINISTRATIVE)

DATED THE 7th NOVEMBER, 1997.


D. R.

DJ/

DA.726/95

Copy to:-

1. The Divisional Railway Manager, Hyderabad Division,
South Central Railway, Secunderabad.
2. The General Manager, South Central Railway, Rail Nilayam,
Secunderabad.
3. One copy to Mr. V. Madhusudhan Rao, Advocate, CAT., Hyd.
4. One copy to Mr. K. Siva Reddy, Addl. CGSC., CAT., Hyd.
5. One copy to BSJP M(J), CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

srr

21/11/97

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

Dated: 7/11/97

ORDER/JUDGMENT

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

in
O.A. NO. 726 / 95

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

