

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

OA NO. 1370/95

Date of Decision: 18.2.1997

BETWEEN:

J. LALITHA PRASAD

.. Applicant

and

1. Financial Advisor &
Chief Accounts Officer,
South Central Railway,
Rail Nilayam,
Secunderabad.
2. Union of India, rep. by Secretary
Railway Board, Rail Bhavan,
New Delhi

.. Respondents

Counsel for the applicant: Party in person

Counsel for the respondents: Mr. N.V. Ramana

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.) *18/2*

(PER HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.))

Sri J. Lalitha Prasad, party in person. Sri Rajeswar Rao, standing counsel, for the respondents.

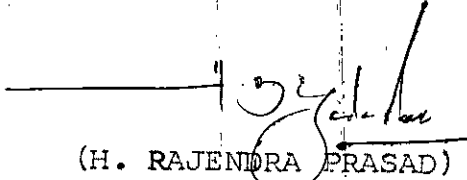
The Applicant in this OA claims payment of arrears of salary consequent on refixation of his pay with reference to Sri D. Pattabhi Chetty, A.A.O.(Retd.) who, according to applicant, was junior to him. It is noticed that, initially, FA & CAO had "issued" sanction conceding the request of the applicant for refixation of pay (Annexure-5). However, a new communication was issued on 17.6.94 reversing the earlier decision on the ground that whereas Sri D. Pattabhi Chetty was in receipt of a loyalty increment granted to him in June, 1974, the same was not available to the applicant. In this connection it is seen that this tribunal had dealt with all aspects of this very question in judgement Dt.7.9.94 (Mani Ramachandran Vs Union of India etc.). In the said OA also the fact of grant of loyalty increments to Sri Pattabhi Chetty is mentioned as the main ground in defence of their action. In the said application the applicant had filed a rejoinder and tabular statement reflecting his own seniority vis-a-vis Sri Pattabhi Chetty. This was not refuted by the respondents in the present OA as well. The applicant, Sri Lalitha Prasad, has produced a tabular statement (Annexure-10) giving the pay particulars of himself and the said Pattabhi Chetty. There is no response from the respondents as regards the correctness or otherwise of this statement.

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Taking into consideration facts of the case it is hereby directed that the applicant shall submit a full and comprehensive representation to FA & CAO, Respondent No.1, setting out the details of his claims and basis thereof. This may be done within 30 days from today. The same shall thereafter be examined by the FA & CAO within 90 days of the date of receipt of said representation in his office. A final decision shall be taken keeping in view the judgement in OA 564/94, and necessary orders communicated to the applicant within the said period. It is open to the applicant to agitate his grievances, arising out of the decision, if the same becomes necessary.

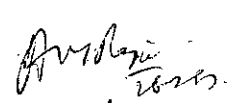
Thus the OA is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Date: 18th February, 1997.

Dictated in the open court.

VCM


Deputy Registrar (DCC) -