

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD

O.A.No. 1586 of 1995

Dated: 2-1-1996

Between :

1. M. Ramakrishna.
2. P.C. Narasiah
3. K. Ramakrishna
4. D. Yoseph

.. Applicants

And

1. Senior Divisional Personnel Officer, S.C. Railway, Vijayawada division, Vijayawada, Krishna Dist.
2. Divisional Railway Manager, S.C. Railway, Vijayawada division, Vijayawada, Krishna district.
3. General Manager, S.C. Railway, Rail Nilayam, Secunderabad.

.. Respondents

Counsel for the Applicants : Sri M.C. Jacob

Counsel for the Respondents: Sri J. Siddaiah, SC for Rlys.

CORAM : Hon'ble Mr. A.B. Gorthi, Administrative Member

O.A. No. 1586/95

Dt. of Decision: 2-1-96

ORDER

¶ As per Hon'ble Shri A.B. Gorthi, Member (Admn.) ¶

The relief claimed by the applicants is for a direction to the respondents to protect the pay of the applicants in terms of Rule 1313 of the Indian Railway Establishment Code, Vol.II and to pay them consequential benefits.

2. The applicants were working as Assistant Station Masters in the then applicable scale of Rs.330-560 in Guntakal Division and Secunderabad Division of SC Railway. Subsequently they were promoted to grade 425-640 which was revised to Rs.1400-2300(RSRP). They were transferred on different dates during 1985 and 1987 to Vijayawada division. On their

transfer their pay was not protected. Their transfer to Vijayawada Division was in lower scale of Rs.1200-2040. Admittedly the transfer of the applicants was on their own request. But their claim is that in terms of 1313(a)(ii) and (iii) of Indian Railway Establishment Code, Volume II their last pay drawn should have been protected.

3. Heard learned counsel for both the parties.

4. Shri M.C. Jacob, learned counsel for the applicants has drawn my attention to a judgement of this Bench of the Tribunal in OA 1252/94 wherein the applicants were similarly situated as the applicants before me. The said OA was decided on 14-11-1994 with a direction to the respondents to fix the pay of the applicants therein by giving them protection in terms of Rule 1313(a)(iii) of the Indian Railway Establishment code Vol.II.

5. As the applicants before me are similarly situated as those in the afore-stated O.A. 1252/94, there is no reason why the same benefit should not be extended to the applicants herein also.

6. Accordingly, this O.A is allowed at the admission stage itself with a direction to the respondents to notionally fix the pay of the applicants by protecting their pay in accordance with para 1313(a)(iii) of IREC, Vol.II. Consequential monetary benefits accruing to the applicants will be calculated from 01-12-1994 and pay to the applicants within a period of three months from the date of communication of this order.

7. The OA is ordered accordingly. No costs.

Sd/-

CERTIFIED TO BE TRUE COPY : A.B.G M(A)

Sd/-

COURT OFFICER

Copy to : ..

... ..

// TRUE COPY //

N.C. Jacob
Counsel for the applicants

Receive Offer.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

R.A.No. of 1996

IN

O.A.No. 158 of 1995



Review application

M.C.Jacob,
Advocate

Counsel for Review petitioner

*replies filed
2/2/96
M.C.Jacob*