

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

6.A. No. 284/95.

Dt. of Decision : 08-03-95.

Vazir Ali Mohabooib Ali

.. Applicant.

vs

~~1. Chief Personnel Officer,  
SC Rly, Rail Nilayam,  
Secunderabad.~~

~~2. General Manager,  
SC Rly, Rail Nilayam,  
Secunderabad.~~

~~3. Union of India rep. by  
the Member Staff,  
Railway Board, Rail Bhavan,  
New Delhi.~~

.. Respondents.

Counsel for the Applicant : Mr. G.V. Subba Rao

Counsel for the Respondents : Mr. D. Gopal Rao, SC for Rlys.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

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

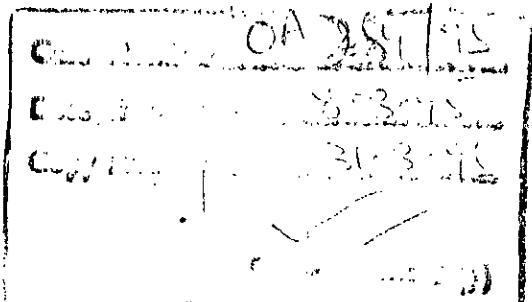
..2

*TC*

To

1. The Chief Personnel Officer, S.C.Rly.  
Railnilayam, Secunderabad.
2. The General Manager, S.C.Rly, Railnilayam,  
Secunderabad.
3. The Member Staff, Union of India,  
Railway Board, Railbhavan, New Delhi.
4. One copy to Mr.G.V.Subba Rao, Advocate, CAT.Hyd.
5. One copy to Mr.D.Gopal Rao, SC for Rlys, CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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4. OA No.192/90 was decided by an order of this Tribunal dt. 4.3.1993 wherein one of us (Mr. Justice V. Neeladri Rao, Vice-Chairman) was a party to that judgment. The applicant in this OA who was also promoted as Head Clerk claim stepping up of his pay with respect to his junior on similar grounds. That OA was allowed by this Bench. Similar OAs No.195/90, 312/90, 313/90 and 314/90 filed for the same relief were also disposed of by order dt. 4.3.1993. Points involved in those OAs were identical to the points covered in OA 192/90. SLP Nos.12651-54/93 filed by the respondents in the above 4 OAs. viz. OA Nos.195/90, 312/90, 313/90 and 314/90 against the decision of this Bench was dismissed by Supreme Court by its order dt. 18.11.1993. In view of the above, the decision of this Bench in OA No.192/90 had become final. As the applicants in this OA are similarly situated, we follow the judgment in OA No.192/90 in this OA also and give the same direction viz:-

The stepping up of pay of the applicant as Head Clerk has to be made from the date on which the pay of his junior is higher than his pay. The arrears on such fixation have to be paid within three months from the date of receipt of a copy of this order. As the applicant herein had retired from service on superannuation, his terminal benefits have to be refixed taking into account the revised pay if required and arrears of the terminal benefits, if any, have to be paid accordingly.

5. The OA is ordered accordingly at the admission stage itself. No costs.

*CERTIFIED TO BE TRUE COPY*

*.....* *.....* *.....*

*Date.....* *.....* *.....*

*Court Officer* *.....* *.....*

*Central Administrative Tribunal* *.....* *.....*

*Hyderabad Bench* *.....* *.....*

*Hyderabad* *.....* *.....*

Returned

Regd. - Contempt petition

- 1. Service to be made on the Standing Counsel.
- 2. Affidavit to be attested by an advocate.
- 3. Date of order and O.A. number to be furnished in the Prayer portion of covering petitions and affidavits.
- 4. 2 addressed covers with acknowledgements to be filed.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH AT HYDERABAD

C.P.No. of 1995

in

O.A.No. 284 of 1995

Between

Vazir Ali Mohabooob  
Ali ...

Applicant/  
Applicant

and

Sri R. Dubey,  
CPO/ SCR/ SC  
and another ...

Respondents/  
Respondents

10 days time

C.P.  
Intake  
for DRB

Corporation with P

18/8/95

CONTEMPT PETITION UNDER SECTION 17  
OF CAT: ACT: 1985.



Filed by:

M/s G.V. Subba Rao  
N. Ethirajulu,  
Advocates,  
1-1-230/33,  
Chikkadapalli,  
Hyderabad-20

Counsel for Applicant,

to be filed  
at  
18/8/95

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD  
\*\*\*\*

C.P. 65/95  
in  
O.A. 284/95.

Dt. of Decision : 7-12-95.

Vazir Ali Mohabob Ali

.. Applicant.

vs

1. Sri R. Devey,  
Chief Personnel Officer,  
SC Rly, Rail Nilayam,  
Secunderabad.

2. Sri V. Kalikavatharam,  
General Manager,  
SC Rly, Rail Nilayam,  
Secunderabad.

.. Respondents.

Counsel for the Applicant : Mr. G.V. Subba Rao

Counsel for the Respondents : Mr. D. Gopala Rao, Addl. CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

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

3/28

-3-

TO

1. Shri R.Dubey, Chief Personnel Officer,  
S.C.Rly, Railnilayam, Secunderabad.
2. Sri V.Kalikavatharam, General Manager,  
S.C.Rly, Railnilayam, Secunderabad.
3. One copy to Mr.G.V.Subba Rao, Advocate, CAT.Hyd.
4. One copy to Mr.D.Gopala Rao, SC for Rlys, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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16  
C.P. 65/95  
in  
O.A. 284/95.

Date of order: 7.12.95

ORDER

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri G.V.Subba Rao, learned counsel for the  
appellants and standing counsel for  
the respondents.

2. It is stated for the respondents that SLP has been  
filed against the order in the OA and the same is yet to come up  
for consideration and the Apex Court has granted stay in the  
order in OA 600/94 which is similar to the order passed in this  
OA.

3. In view of the same, it is just and proper to pass the  
following order:

"If special mention is not going to be made in the Apex  
Court by the end of February 1996, for prayer for stay, the same  
has to be paid with interest at the rate of 12% per annum, from  
1.3.1996."

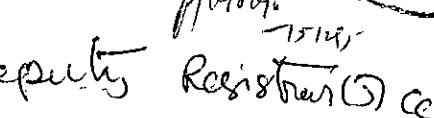
4. The CP is ordered accordingly. No costs.//

  
(R.RANGARAJAN)  
MEMBER (ADMN.)

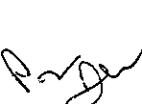
  
(V.NEELADRI RAO)  
VICE CHAIRMAN

DATED: 7th December, 1995.  
Open court dictation.

mvl/vsn

  
Deputy Registrar (S) CC

Amrit  
15/12/95



TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO  
VICE-CHAIRMAN

AND

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

DATED: 7-1-1995

ORDER/JUDGMENT

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

CP.65 U in

O.A.No. 284/95

T.A.No.

(W.P.No.)

Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

p.v.m.

