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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*

O.A.No. 1130/96.

Dt. of Decision : 18-09-96.

P. Kunchu Naidu

.. Applicant.

Vs

1. The Sr.Divl.Personnel Officer,  
SC Rly, Vijayawada Division,  
Vijayawada, Krishna District.
2. The Divl.Rly. Manager,  
SC Rly,Vijayawada Division,  
Krishna District.
3. The General Manager,  
SC Rly, Rail Nilayam,  
Secunderabad.

.. Respondents.

Counsel for the Applicant : Mr. M.C.Jacob

Counsel for the Respondents : Mr. V.Bhimanna, SC for Rlys.

CORAM:

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

ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.))

Heard Mr. M.C.Jacob, learned counsel for the applicant and Mr.Satyanarayana Murthy for Mr.V.Bhimanna, learned counsel for the respondents.

2. The applicant was in this OA while working as Head Train Ticket Examiner in the grade of Rs.425-640/- (RS) in Hubli Division was transferred on his request to Vijayawada Division of SC Rly in the scale of pay of Rs.260-400/- in terms of 314 of IREM. At the time of his relieve from Hubli division he was drawing a pay of Rs.560/- in the scale of pay of Rs.425-640/-. When he joined Vijayawada Division in the scale of pay of Rs.260-400/- his pay was fixed at the stage of Rs.382/- <sup>in</sup> Vijayawada Division. The applicant submits that he should have been fixed at the maximum of the scale of pay of Rs.260-400/- in Vijayawada division when he was absorbed in Vijayawada division as a Ticket Collector in the grade of Rs.260-400/- in terms of Rule 1313(a)(ii) and (iii) <sup>of</sup> IREC Vol.II. He submitted a representation dated 20-10-95 (Annexure-II at page-9) to R-2 for fixation of <sup>his</sup> pay as above. But that representation is not yet disposed of.

3. Aggrieved by the above, he has filed this OA to fix the pay in the scale of pay of Rs.260-400/- in SC Railway protecting his last pay drawn ~~in Hubli Division~~ in terms of Rule-1313 (a) (ii) and (iii) of IREC, Vol.II.

4. As his representation is still pending it is not proper to dispose of with any direction without giving an opportunity to the respondents to look into his case and give him a suitable reply in this connection. Hence, the OA is disposed of as under:-

Copy to:-

1. The Sr. Divisional Personnel Officer, S.C.Rly, Vijayawada Division, Vijayawada, Krishna District.
2. The Divisional Rly Manager, S.C.Rly, Vijayawada Division, Krishna District.
3. The General Manager, S.C.Railway, Rail Nilayam, Secunderabad.
4. One copy to Sri. M.C.Jacob, advocate, CAT, Hyd.
5. One copy to Sri. V.Bhimanna, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

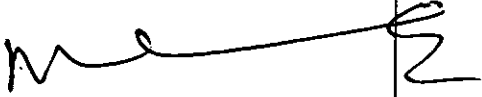
Rsm/-

(18)

R-2 should dispose of the representation of the applicant dated 20-10-1995 (Annexure-II at page-9) in accordance with rules and also taking due note of the directions given by this Tribunal in OA.No.1252/94 decided on 14-11-1994. If the representation of the applicant is favourably considered, he is entitled for arrears if any from one year prior to filing of this OA i.e., from 10-09-1995 (This OA is filed on 10-09-96)

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

(Registry should send a copy of this OA with the enclosures along with the judgement to R-2)

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 18th September 1996.  
(Dictated in Open Court)

*Arshini*  
Dy. Registrar

spr

9/5/10/94  
DA 1130/96  
Typed By  
Compared by

Checked By  
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 18/9/96

ORDER/JUDGEMENT  
R.A./C.P./M.A. NO.

In  
D.A. NO. 1130/96

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

~~NO ORDER AS TO COSTS.~~

YLKR

II COURT

all sent  
copy of OA  
with enclosure  
to 2-2  
No spare copy

