

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

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ORIGINAL APPLICATION NO. 1201 of 1996

DATE OF DECISION : 04-10-96.

1. A.K.Jeelani  
2. P.Ramanjaneyulu

.. Applicants.

Vs.

1. The Sr.Divl.Personnel Officer,  
SC Railway,Vijayawada Division,  
Vijayawada,Krishna District.

2. The Divl.Rly.Manager,  
SC Rly,Vijayawada Division,  
Vijayawada,Krishna District.

3. The General Manager,  
SC Rly, Rail Nilayam,  
Secunderabad.

.. Respondents.

Counsel for the Applicants : Mr. M.C.Jacob for  
Mr.B.Narasimha Sharma

Counsel for the Respondents : Mr.J.R.Gopala Rao,SC for Rlys.

CORAM:-

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

D

ORDER

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

Heard Mr.M.C.Jacob for Mr.B.Narasimha Sarma, learned counsel for the applicants and Mr. J.R.Gopala Rao, learned counsel for the respondents.

2. There are two applicants in this OA. <sup>they are</sup> While working in as ASM in the scale of pay of Rs.1400-2300/- in Hubli Division of SC Railway came on request transfer to Vijayawada Division accepting bottom seniority in the grade of Rs.1200-2040/- in terms of para 312 of IREM.Vol.II. However, it is stated that <sup>which</sup> their pay ~~list~~ <sup>they</sup> were drawing at the time of relief from Hubli Division was not protected when they were posted to Vijayawada division. Hence they filed representation dated 12-10-95 and 25-10-95 (Annexure-4 and 5) to R-2. But it is stated that those representations are yet to be disposed of.

3. Aggrieved by the above they filed this OA for protecting their pay in terms of Rule 1313 (a) (ii) and (iii) of IREC, Vol.II when they were absorbed Vijayawada division in the grade of Rs.1200-2040/- following the direction given in OA.No.1252/94 on the file of this Bench.

4. It is seen that the representations of the applicants <sup>to</sup> are still pending. It is essential that an opportunity to be given to the respondents to dispose of their representations. Hence, it will be in order if the OA is remitted back to R-2 to dispose of the representation in accordance with law taking due note of the directions given in OA.1252/94 on the file of this Bench.



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5. In the result, the following direction is given:-

R-2 should dispose of the representations of the applicants herein enclosed in Annexure-8 to 12 in accordance with rules taking due note of the directions given in OA.1252/94 disposed of by this Bench which is enclosed as Annexure-13 of the OA. If a favourable decision is taken in the case of the applicants by R-2 then the applicants are entitled for arrears if any on that basis only from one year prior filing of this OA i.e., from 23-9-95 (this OA was filed on 23-9-96).

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

*one*

(R. RANGARAJAN)Rs  
MEMBER (ADMN.)

Dated : The 07th Oct. 1996.  
(Dictated in the Open Court)

*With thanks*  
D. R. (J)

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O.A.NO. 1201/86

Copy to:

1. The Senior Divisional Personnel Officer,  
South Central Railway, Vijayawada Division,  
Vijayawada, Krishna District.
2. The Divisional Railway Manager,  
South Central Railway, Vijayawada Division,  
Vijayawada, Krishna District.
3. The General Manager,  
South Central Railway,  
Railnilayam,  
Secunderabad.
4. One copy to Mr. B. Narasimha Garma, Advocate,  
CAT, Hyderabad.
5. One copy to Mr. J. R. Gopal Rao, CGSC,  
CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One duplicate copy.

YLKR

9/28/96  
08/20/96

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Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 6-10-96

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

in  
D.A. NO. 1201/96

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED  
DISPOSED OF WITH DIRECTIONS  
DISMISSED  
DISMISSED AS WITHDRAWN  
ORDERED/REJECTED  
NO ORDER AS TO COSTS.

YLKR

*2nd flr*  
II COURT

*A/w copyed*  
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