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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.327/96

DATE OF ORDER : 17-09-1998.

Between :-

1. D.Sankaraiah
2. B.Kameswara Rao

... Applicants

And

1. Chief Personnel Officer,
SC Rlys, Rail Nilayam, Sec'bad.
2. Divisional Railway Manager,
SC Rlys, Vijayawada Division,
Vijayawada, Krishna (Dist).
3. Sr.Divisional Personnel Officer,
Vijayawada Division, SC Rlys,
Vijayawada, Krishna (Dist).
4. M.D.Shamim
5. G.V.Sharma

... Respondents

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Counsel for the Applicants : Shri B.Narasimha Sarma

Counsel for the Respondents : Shri J.R.Gopal Rao,SC for Rlys

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CORAM:

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

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

R

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J

... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri Jacob for Sri B.Narasimha Sharma, counsel for the applicant and Mrs.Shakti for Sri J.R.Gopal Rao, learned standing counsel for the respondents. There are two applicants in this OA. Notice has been served on Respondent No.5 but not served on Respondent No.4. ^{that is} In view of the directions going to be given in this OA, even if it is not served on Respondent No.4, it does not cause any harm to Respondent No.4.

2. This OA is filed praying for declaration that the impugned proceedings No.B/P.535/VI/3/YS dt.15-9-95 whereby the Respondent No.4 and 5 were absorbed as SS/TI in the scale of Rs.1600-2660 and the proceedings No.B/P.535/VI/Optg/SM/Dy.SS/Vol.3 dt.1.11.95 whereby they were repatriated as Dy.SS from 15-5-87 ~~as arbitrary~~ and illegal and for a consequential direction to the respondents to adhere to the avenue of promotion chart exclusively meant for Station Masters category vide P(T) 529/Optg/Channel dt.3-7-84 for promotions to any grades in the category of Station Masters.

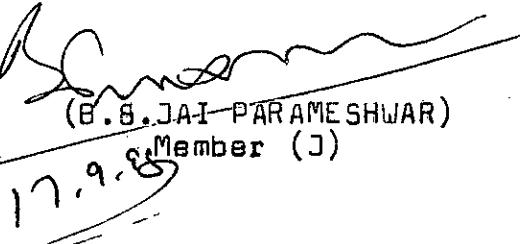
3. When this OA was taken up for hearing, the learned counsel for the applicant submits that in view of the recent judgement of the Supreme Court, respondents 4 and 5 were brought down in the category of Station Masters below that of the applicants. Hence their seniority is not affected on bringing the party respondents into Station Masters category. In view of the above, the applicants does not stand to lose promotion or ~~in~~ any other ^{benefit} aspect.

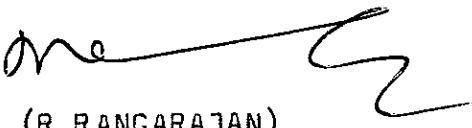
R

D
...3.

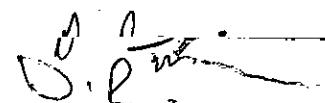
Hence the prayer in this Original Application has become infructuous.

4. Accordingly the Original Application is disposed of as having become infructuous. No order as to costs.


(B.S. JAI PARAMESHWAR)
Member (J)
17.9.98


(R. RANGARAJAN)
Member (A)

Dated: 17th September, 1998.
Dictated in Open Court.


S.R.

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DA.327/96

Copy to:-

1. The Chief Personnel Officer, S.C.Rly, Rail Nilayam, Secunderabad
2. The Divisional Railway Manager, S.C.Rlys, Vijayawada Division, Vijayawada, Krishna.
3. Sr. Divisional Personnel Officer, Vijayawada Division, SC Rlys, Vijayawada, Krishna.
4. One copy to Mr. B. Marasimha Sarma, Advocate, CAT., Hyd.
5. One copy to Mr. J.R. Gopal Rao, SC for Rlys, CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

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87/10/98
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II COURT

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CHECKED BY
APPR VED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI S.S. JAI PARAMESHWAR:
M(J)

DATED: 3

17/9/98

ORDER/JUDGMENT

M.A/2.A/E.P.NO.:

in
O.A.NO. 327/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

