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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 1259 of 1996

DATE OF JUDGEMENT: 22nd October, 1996

BETWEEN:

1. M.Sattiraju,
2. KVV Srinivasa Rao,
3. K.Krishna Reddy,
4. R.V.Srinivasa Rao

.. Applicant

and

1. The Sr.Divisional Personnel Officer,
South Central Railway,
Vijayawada Division, Vijayawada,
Krishna District,
2. The Divisional Railway Manager,
S.C.Railway, Vijayawada Division,
Vijayawada,
3. The General Manager,
S.C.Railway,
Secunderabad.

.. Respondents

COUNSEL FOR THE APPLICANTS: SHRI M.C.JACOB

COUNSEL FOR THE RESPONDENTS: SHRI V.BHIMANNA, Addl.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

JUDGEMENT

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

Heard Shri M.C.Jacob, learned counsel for the applicants and Shri V.Bhimanna, learned standing counsel for the respondents.

2. There are four applicants in this OA. All of them joined as Assistant Station Masters in the grade of Rs.1200-2040 in Guntakal Division of South Central Railway. They were further promoted to the grade of Rs.1400-2300 in Guntakal Division. All of them submitted representations for transfer to Vijayawada in terms of Para 312 of Indian Railway Establishment Manual. Their request was considered and they were transferred to Vijayawada Division in the scale of pay of Rs.1200-2040 and all of them joined Vijayawada division on 28.9.95 in the grade of Rs.1200-2040. But their pay which they were drawing at Guntakal Division at the time of relief in the grade of Rs.1400-2300 was not protected when they joined Vijayawada Division in the scale of pay of Rs.1200-2040. The details of the applicants in regard to their pay fixation, date of joining in Vijayawada Division etc, are shown in Annexure-I of the OA.

3. All the applicants filed representations for protecting their pay in the scale of pay of Rs.1200-2040 which they were drawing at the time of relief in Guntakal Division following Para 1313 of Indian Railway Establishment Code, Volume-II by their representations dated 9.1.96, 8.1.96, 18.10.95 and 28.10.95 (Annexures V to VII of the OA). It is stated that their representations are not yet disposed of.

4. Aggrieved by the above, they filed this OA for protection of their pay in terms of Para 1313 of IREC Vol.II when they joined Vijayawada Division as ASMs in the grade of



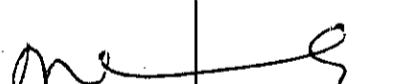
Rs.1200-2040.

5. As their representations are still pending, an opportunity has to be given to the respondents to dispose of their representations. Hence the following direction is given:-

R-2 should dispose of the representations of the applicants at Annexures V to VIII of the OA, in accordance with law taking due note of the direction given in OA 1252/94 on the file of this Bench. If the representations are disposed of in their favour, they are entitled for arrears only from the date of joining viz, 28.9.95.

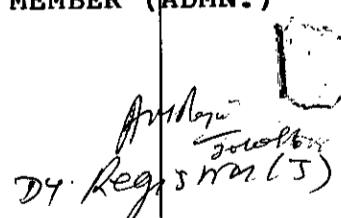
6. The OA is ordered accordingly at the admission stage itself. No costs.

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



(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 22nd October, 1996
Open court dictation.



D.Y. Reg. S. M. (S)

: 4 :

Copy to:-

1. The Sr. Divisional Personnel Officer, South Central Railway, Vijayawada Division, Vijayawada, Krishna Dist.
2. The Divisional Railway Manager, S.C.Railway, Vijayawada Division, Vijayawada.
3. The General Manager, South Central Railway, 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/-

9/11/96

OA-1259/4

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 22/10/96

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

O.A.NO.

1259/96

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

YLR

II COURT

A/w copy sent to RZ

केंद्रीय प्रशासनिक अधिकारण Central Administrative Tribunal DESPATCH
- 7 NOV 1996
हैदराबाद बैच नं. 1 HYDERABAD BENCH