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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.649/96

dt.18-6-97

Between

D. Charles : Applicant

and

1. The Divisional Railway Manager
SE Rly., (reptg. Union of India)
Visakhapatnam 530004

2. The Divisional Personnel Officer
SE Rly., Visakhapatnam 530004

: Respondents

Counsel for the applicant : C. Suryanarayana
Advocate

Counsel for the respondents : N.R. Devaraj
SC for Railways

CORAM

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

Judgement

Oral order (per Hon. Mr. H. Rajendra Prasad, Member(Admn)

Heard Sri C. Suryanarayana, learned counsel for the applicant.

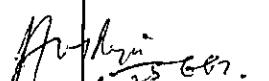
1. The counter filed by the respondents was also scrutinised.
2. The facts of the case are clear. All the basic issues involved in this case have been earlier dealt with and pronounced upon by Dy. Labour Commissioner, Visakhapatnam. The matter came up before this Tribunal also and, in an earlier judgement, the Tribunal agreed with the view of the Labour Court. A review application was filed by the respondents thereafter which was dismissed by this Tribunal. The respondents thereafter duly initiated action to pay him the arrears on account of the difference drawn by in pay ~~the~~ the applicant and his junior. The arrears were paid thus from 1-3-1977 to 28-2-1983. There has been no further payment thereafter.
3. I do not find any reason for withholding the arrears on the same lines and grounds as was done upto 28-2-1983. The respondents in their counter have sought to reopen the entire gamut of arguments which had already been examined on atleast two occasions. This cannot be allowed.
4. In the light of preceding discussions the respondents are directed to release the due amounts in continuation of what has already been paid to him upto the end of February, 1983, within 60 days from the date of receipt of a copy of this order.
5. Thus the OA is disposed of.


(H. Rajendra Prasad)
Member(Admn.)

Dated : 18 June, 1997

Dictated in Open Court

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Deputy Registrar (J) QC