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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.713/96

dt.7-8-96

Between

1.K. Kesava Prasad  
2.Ch. Maruthi Maheswara Rao : Applicants  
and

1. Sr. Divnl. Personnel Officer  
SC Rly., Vijayawada Divn.  
Vijayawada, Krishna Dist.

2. Divnl. Railway Manager  
SC Rly., Vijayawada Division  
Vijayawada, Krishna Dist.

3. General Manager  
SC Rly., Rail Nilayam  
Secunderabad : Respondents

Counsel for the applicants : B. Narasimha Sarma  
Advocate

Counsel for the respondents : K. Siva Reddy  
SC for Railways

CORAM

HON. MR. R. Rangarajan, Member (Admn.)

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## Judgement

Oral Order (per Hon. Sri R. Rangarajan, Member (Admn))

Sri Jacob for Sri B. Narasimha Sarma for the applicants. Sri K. Siva Reddy for the respondents.

2. There are two applicants in this OA. Both were initially appointed as Assistant Station Masters through Railway Recruitment Board in the then pay scale of Rs. 330-560(RS) on 3-7-1980 and 30-10-1982 respectively in Guntakal Division of SC Railway. Subsequently they were promoted to the grade of Rs.425-640. (RS). Both the applicants were transferred to Vijayawada Division on reversion to the lower grade of Rs.1200-2040 (RSRP) on bottom seniority, at their own request, on 12-10-1987 and 8-3-1988 respectively, vide office orders No. B/P.676/VI-8/Vol.XV dt.15-10-1987 (Annexure II) and of even number dated 9-3-1988 respectively. At the time of their joining at Vijayawada Division in the scale of Rs.1200-2040, their last pay drawn in the Guntakal Division at the time of their relief, were not protected. Applicant-1 filed a representation dated 15-2-1995 and Applicant-2 filed a representation dated 18-2-1995 to Respondent-1 for protecting their pay in terms of Rule 1313(a)(i) of IREC. It is stated that their representations are not disposed of yet.

3. Aggrieved by the above they have filed this OA for protecting their pay when they joined at Vijayawada Division

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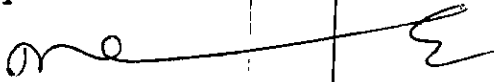
in the scale of pay of Rs.1200-2040 in accordance with rule 1313(a)(III)/RI of IREC and consequential payment of arrears.

4. A reply has been filed in this connection. Learned standing counsel submitted that para 604 of IREM with amendment is relevant rule in this case. However, after some argument he agreed that the usual orders as were given in the previous OAs in the similar cases may be followed in this case also. He further submitted that as the representations of the applicants <sup>are</sup> pending with the respondents, the respondents may be directed to dispose of the representations of the applicants in accordance with law. Learned counsel for the applicants has no objection to dispose of the representations following the extant rules.

5. In view of the above submissions the following direction is given :

Respondent-2 should dispose of the representations of the applicants dated 15-2-1995 and 18-2-1995 of the applicants respectively in accordance with rules taking due note of the code provision viz.1313(a)(ii)(iii) of IREC Volume II and also taking due note of the directions given in the similar OAs. In case the applicants get a favourable disposal to their representations from Respondent-2, they are entitled for arrears, if any, only from one year prior to filing of this OA i.e.6-2-1995 (this OA is filed on 6-2-1996). Time for compliance is three months from the date of receipt of this judgement.

6. OA is ordered accordingly. No costs.

  
(R. Rangarajan)  
Member (Admn.)

Dated : August 7, 96  
Dictated in Open Court

Dy. Registrar  
3/8/96

Contd-

O.A.713/96.

Copy to:-

1. Sr. Divisional Personnel Officer, S.C.Railway, Vijayawada Division, Vijayawada, Krishna District.
2. Divisional Railway Manager, S.C.Railway, Vijayawada Division, Vijayawada Krishna District.
3. General Manager, S.C.Railway, Rail Nilayam, Sec'bad.
4. One copy to Sri. B.Narasimha Sarma, advocate, CAT, Hyd.
5. One copy to Sri. K.Siva Reddy, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

Corr

MA-713/96

TYPED BY  
COMPALED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 7/8/96

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

O.A. NO. 713/96

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

YLKR

II COURT

No Spare Copy

केन्द्रीय प्रशासनिक अदालत  
Central Administrative Tribunal  
अदालत/DESPATCH  
22 AUG 1996  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH