

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.782/96

Date of Order: 10-9-96

BETWEEN :

G.Kesava Rao

.. Applicant.

AND

1. Senior Divisional Personnel Officer.
Sanchalan Bhavan, Secunderabad.

2. Divisional Railway Manager, S.C.Rly.,
Secunderabad Division,
Sanchalan Bhavan, Secunderabad.

3. General Manager, S.C.Rly.,
Rail Nilayam, Secunderabad. .. Respondents.

Counsel for the Applicant

.. Mr. M.C.Jacob for
Mr. B.Narasimha Sharma

Counsel for the Respondents

.. Mr. K.Siva Reddy

CORAM:

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

JUDGEMENT

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Heard Mr. M.C.Jacob, learned counsel for the applicant and Mr. K.Siva Reddy, learned standing counsel for the respondents.

2. The applicant in this OA joined as an Assistant Station Master on 10.3.66 in Bombay Division of Central Railway and was transferred to Hubli Division of S.C.Railway in 1974. While working in Hubli Division in the grade of Rs.455-700 he sought request transfer to Secunderabad Division and that request was allowed and he joined on transfer in November 1984

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in Secunderabad Division in the grade of Rs.330-560/1200-2040. It is stated that his pay which he was drawing in the grade of Rs.455-700 in Hubli Division was not protected when he joined Secunderabad Division in the grade of Rs.330-560. In view of the non protection of his pay ^{was fixed but in lower grade} when he was promoted further in Secunderabad Division. The applicant submitted a representation to R-1 on 29.3.95 for protecting his pay when joined in Secunderabad Division in the grade of Rs.330-560. It is stated that the above said representation is still pending. The applicant submits that he is entitled for protection of pay in terms of Rule 1313 of I.R.E.C. Vol.II. He further submits that similar fixation was ordered by this Tribunal in a similar case in OA.1252/94 decided on 14.11.94. Hence he prays that the similar treatment may be metted out to him.

3. As his representation dated 29.3.95 (A-4) is still pending it is but proper to direct R-2 to dispose of the representation in accordance with the law taking due note of the judgement of this Tribunal referred to above.

4. In the result, the following direction is given:- R-2 should dispose of the representation of the applicant dt. 29.3.95 in accordance with the law taking due note of the judgement of this Tribunal referred to above. If the representation of the applicant is disposed of favourably he is entitled for arrears if any only from one year prior to filing of this OA i.e. from 25.6.95 (this OA was filed on 25.6.96).

5. The OA is ordered accordingly. No costs.

6. Registry to sent a copy of this OA with enclosures along with judgement to R-2.

mc
(R.RANGARAJAN)
Member (Admn.)

Dated: 10th September, 1996

sd

(Dictated in Open Court)

11/9/96
Dy. Registrar (S)

Copy to:

1. Senior Divisional Personnel Officer,
South Central Railway,
Secunderabad Division,
Sanchalan Bhavan,
Secunderabad.
2. Divisional Railway Manager,
South Central Railway,
Secunderabad Division,
Sanchalan Bhavan,
Secunderabad.
3. The General Manager,
South Central Railway,
Railnilayam,
Secunderabad.
4. One copy to Mr.B.Narasimha Sarma, Advocate,
CAT, Hyderabad.
5. One copy to Mr.K.Siva Reddy, EGSC.
CAT, Hyderabad.
6. One copy to Library,CAT, Hyderabad.
7. One duplicate copy.

YLKR

02/10/91
08/182/96

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 10/9/96

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

in
O.A. NO. 782/96

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

YLR

II COURT

No Spare Copy

केन्द्रीय प्रशासनिक विधिकरण
Central Administrative Tribunal
देशभाषा/DESPATCH

- 3 OCT 1996 NSUP

हैदराबाद बैंच
HYDERABAD BENCH