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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 840 of 1996.

DATE: 18 SEPTEMBER, 1996.

Between:

1. T.Raghuram.
2. V.Rajeswarayya.
3. S.Venkata Reddy. Applicants.

And

1. Senior 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, Secunderabad. Respondents.

Counsel for the Applicants: Sri B.Narasimha Sarma.

Counsel for the Respondents: Sri K.Giva Reddy, Addl. Standing
Counsel for Railways.

O R D E R:

(PER HON'BLE SHRI H.RAJENDRA PRASAD, MEMBER (A))

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The applicants in this O.A., are aggrieved by the non-protection of their pay which they were drawing at the time of their transfer, at own request, to Vijayawada Division.

The application was filed on 28-6-1996. The applicants were permitted to file a joint application (M.A.601/96) on 29-7-1996. The delay of 1520 days in filing of the application was condoned (M.A.600/96) on 15-7-1996 and the case was admitted on 17-7-1996. No reply has been filed by the Respondents. The case was finally heard on 22-8-1996 when the learned counsel for the applicants

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Mr. M.C.Jacob (for Mr. B.Narasimha Sarma) made his submissions.

3. Applicant No.1 was initially recruited as Assistant Station Master and posted to Hubli Division on 2-12-1983, Applicant Nos., 2 and 3 to Guntakal Division on 16-8-1988 and 19-5-1986, respectively. Their initial scale of pay was Rs.1200--2400. Subsequently they were given the next higher grade of Rs.1400--2300. Applicant No.1 was transferred to Vijayawada Division at his request on 29-10-1991, Applicant No.2 on 26-2-1993, and Applicant No. on 29-4-1991. They were drawing Rs.1600, Rs.1440 and Rs.1440/- respectively at the time of transfer to Vijayawada. On their joining the new Unit their pay was fixed at Rs.1410, Rs.1320 and Rs.1320, respectively. The applicants complain that the pay last drawn by them on the eve of their transfer to Vijayawada should have been protected while fixing their pay in the new Unit of posting in consonance with Rule 1313(a)(ii)(iii) of Indian Railway Establishment Code, Vol.II and also in accordance with directions issued by this Tribunal in similar case in the past. This was not done.

4. The facts and claims of this O.A., are identical to many O.As., already disposed of by this Tribunal and do not need detailed restatement as all the relevant issues have been duly examined. It is directed that the directions issued on 7-8-1996 while disposing of O.A.,713/96 be followed and complied with in the case of the applicants

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in the present O.A. as well. This shall be done within 90 days from the date of receipt of this Judgment.

5. Thus the O.A. is disposed of. No costs.

H.RAJENDRA PRASAD,
MEMBER (A)
16 SEP 96

Date: 18.9.96

Pronounced in open Court.

Arbitr. 18.9.96
D.R.(J)

sss.

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O.A.NO.840/96

Copy to:

1. Senior Divisional Personnel Officer,
South Central Railway,
Vijayawada Division,
Vijayawada, Krishna District.
2. Divisional Railway Manager,
South Central Railway,
Vijayawada Division,
Vijayawada, Krishna District.
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, Addl.CGSC,
CAT, Hyderabad.
6. One copy to Library,CAT, Hyderabad.
7. One copy for duplicate.
8. one copy to Honble Mr.Rajendra Prasad (M)A- CAT, Hyderabad.

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 18/9/96

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

in
O.A. NO. 840/96

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

YLR

II COURT

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