

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION No 1326 of 1996

DATE OF JUDGEMENT 4TH NOVEMBER, 1996

BETWEEN:

P. KRUPAVARAM

.. APPLICANT

AND

1. The Senior Divisional Personnel Officer,
S.C. Railway, Hyderabad Division,
Secunderabad.
2. The Divisional Manager, S.C. Railway,
Hyderabad Division, Secunderabad.
3. The General Manager, S.C. Railway,
Rail Nilayam, Secunderabad .. Respondents

COUNSEL FOR THE APPLICANT : SHRI P. RATHAIAH

COUNSEL FOR THE RESPONDENTS: SHRI V. BHIMANNA
Sr. CGSC

CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR: MEMBER (JUDL.)



Dt.4.11.1996

JUDGEMENT

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

.....

The applicant in this OA, while working as ASM in KMSD of Waltair Division of South Eastern Railway in the grade of Rs.1400-2300, was transferred on his request as ASM, SVN, Hyderabad, M.G. Division of South Central Railway accepting mutual transfer with one Shri V. Srinivas. At the time of his transfer from South Eastern Railway in the grade of Rs.1400-2300 he was drawing a pay of Rs.1480. When he joined South Central Railway in the grade of Rs.1200-2040 it is stated that his last drawn pay of Rs.1480 was not protected. He filed representation vide his representation Dt.15.11.95 (Annuxure A-V) at page-13 to protect his pay in terms of para 1313 of IREC Vol.II. But it is stated that the representation is still pending. Hence he filed this O.A. praying for protection of his pay of Rs.1480 drawn by him at the time of his relief from Waltair Division when he joined in the grade of Rs.1200-1400 in terms of para 1313 of IREC Vol.II and following the judgement of tribunal in the OA. of 810/96 Dt.5.7.96.

The applicant's representation Dt.15.11.95 is still pending with R-1. When a representation is pending it will not be fair to dispose of the OA without

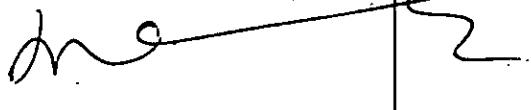
giving opportunity to respondents to decide the issue in accordance with the rules. In view of the above a direction has to be given to R-1 & R-2 to dispose of the representation of the applicant Dt.15.11.95 in accordance with the rules expeditiously, preferably within 3 months from the date of receipt of judgement.

In the result following direction is given:-

R-1 & R-2 should dispose of the representation of the applicant Dt.15.11.95 expeditiously in accordance with the rules preferably within three months from the date of receipt of copy of the judgement taking due note of directions given in the OA No.810/96 on the file of this Bench. If the respondents are going to take a favourable decision, the applicant is entitled for arrears, if any, only from one year prior to filing of this OA i.e. 27.9.95. (This OA is filed on 27.9.96).

The OA is ordered accordingly. No costs.


(B.S. JAI PARAMESWAR)
MEMBER (J)


(R. RANGARAJAN)
MEMBER (A)

4.11.96
KSM

Dated: 4th NOVEMBER, 1996

Ansby
Dy. Registration

Copy to:-

1. The Senior Divisional Personnel Officer, S.C.Railway, Hyderabad Division, Secunderabad.
2. The Divisional Manager, South Central Railway, Hyderabad Division, Secunderabad.
3. The General Manager, South Central Railway, Railnilayam, Secunderabad.
4. One copy to Sri. P.Rathaiah, advocate, CAT, Hyd.
5. One copy to Sri. V.Bhimanna, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

12/12/96 (25)

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Typed By
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Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)
Hm Mr. B.S. Jai prakashwar m(3)

DATED: 4/11/96

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

in
O.A.NO. 1326/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLR

II COURT

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

DESPATCH

6 DEC 1996

हैदराबाद न्यायपीठ
HYDERABAD BENCH