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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.396/97

dt.27-8-98

Between

G. Satyanarayana

: Applicant

and

1. Chief Mech. Engineer  
SCRly., Rail Nilayam  
Secunderabad

2. Chief Personnel Officer  
SC Rly, Rail Nilayam  
Secunderabad

: Respondents

Counsel for the applicant

: B. Narasimha Sarma  
Advocate

Counsel for the respondents

: K. Siva Reddy  
SC for Rlys.

Coram

Hon'ble Mr. Justice D.H. Nasir, Vice Chairman

Hon'ble Mr. H. Rajendra Prasad, Member(Admn.)

## Order

Oral order (per Hon. Mr. Justice D.H. Nasir, VC )

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

1. The applicant has prayed for fixing his pay at the appropriate stage in the lower grade of Rs.1200-2040 (RSRP) i.e. at Rs.1530/- as per rule 1313 of the IREC, Vol.II with effect from 20-9-1993 consequent to his transfer from Diesel Locomotive works, Varanasi to the Office of the first respondent with all consequential benefits including arrears as directed in OA.1121 of 1996 by this Tribunal after declaring the proceedings of the second respondent No.P/EST/676/TRT/Stenos/GS/PA No.1121/96, dated 17-1-97 as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India and contrary to the direction of this Tribunal given in OA.1121/96.

2. The learned counsel drew our attention to the order passed in OA.70/97 by the Bench comprising Hon. Sri R. Rangarajan, M(A) and Hon. Sri B.S. Jai Parameshwar, M(J) dated 2-3-1998 in which it is observed that the respondents submitted that they were awaiting for a clarification to the Railway Board's letter dated 2-12-1996 and the same was received wherein the following direction is issued :

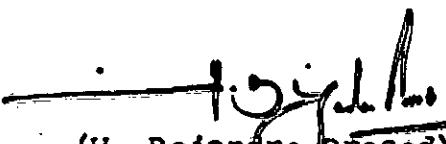
" The pay of the applicant as ASM in Vijayawada division in the scale of pay of Rs.1200-2040 should be fixed at the stage as he was drawing in Secunderabad division in the scale of pay of Rs.1400-2300 provided such a stage is available

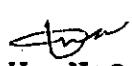
in the scale of pay of pay of Rs.1200-2040 and that pay does not exceed the maximum of the pay of Rs.1200-2040. The other conditions laid down by the Railway Board in the letter dated 2-12-1996 should be scrutinised to see whether the applicant fulfils all the conditions as laid down to fix his pay at Rs.1460/- when he was transferred to Vijayawada division. The applicant is entitled for arrears if any from 1-4-1995 in accordance with the direction given in OA.809/96 dated 5-7-1996."

3. The learned counsel for the applicant submits that the above order passed in OA.70/97 by the Tribunal has already been implemented and that they have no objection if the present application is disposed of with the similar order. Hence, the present petition is disposed of with a direction/comply with the orders passed in OA.70/97 in respect of the present application as well.

4. The order should be complied with within three months from the date of receipt of copy of this order.

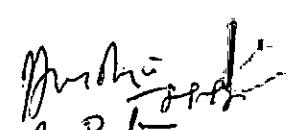
5. The arrears shall be paid with effect from 13-9-1995.

  
(H. Rajendra Prasad)  
Member(Admn.)

  
(D.H. Nasir)  
Vice Chairman

Dated : August 27, 98  
Dictated in Open Court

sk

  
Deputy Registrar

I COURT

*22/9/98*  
TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE D H NASIR

VICE-CHAIRMAN  
AND

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

DATED: 27- 8-1998.

ORDER/JUDGMENT

M.A./R.A./C.A.No.

in  
O.A.No. 396/97

T.A.No. (w.p.)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

