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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1014/97

dt.27-8-98

Between

C. Venkataiah

: Applicant

and

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

2. Divnl. Rly. Manager
SC Rly, Vijayawada Divn.
Vijayawada, Krishna Dist.

3. Chief Personnel Officer
SC Rly, Rail Nilayam
Secunderabad

: Respondents

Counsel for the applicant

: Party-in-person

Counsel for the respondents

: K. Siva Reddy
SC for Rlys.

Coram

Hon. Mr. Justice DH Nasir, Vice Chairman

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

Order

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

Heard Mr. C. Venkataiah, Party-in-person and Mr. K. Siva Reddy, learned standing counsel for the respondents.

1. The applicant has prayed for fixing his pay at stage of Rs.1470 plus 10 PP in time scale of Rs.1200-2040 (RSRP) instead of Rs.1320 plus 160 PP as per rule 1313(a)(ii) and (iii) of IREC Vol.II as done in the case of OA.1252/94 in proceeding No.G/P 524/1/ASM/OS/1252/94 issued by senior Divisional Personnel Officer, Guntakal Division after declaring the fixation of pay done by the First respondent in proceeding No.B/P/524/VI/SM-ASM, dated 30-10-96 as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution and contrary to the direction given by this Tribunal in OA.928/96.

2. The applicant 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 2-3-98 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 Rs.1200-2040 and that pay does not exceed the maximum of the pay of Rs.1200-2040.

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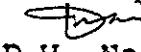
The other conditions laid down by the Railway Board
the Railway Board in the letter dated 2-12-1996 should
be scrutinised to see whether the applicant fulfils all
the conditions as laid down to fix his pay at Rs.1460/- when
he was transferred to Vijayawada division. The applicant
is entitled for arrears if any from 1-4-1995 in accordance
with the direction given in OA.809/96 dated 5-7-1996".

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

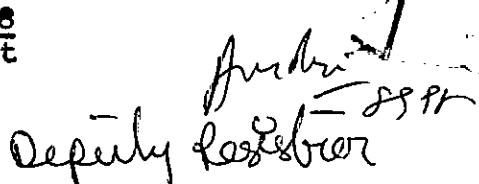
4. The order should be complied with within three months
from the date of receipt of copy of this order.

5. The arrears shall be paid with effect from 26-7-1995.


(H. Rajendra Prasad)
Member (Admn.)


(D.H. Nasir)
Vice Chairman

Dated : August 27, 98
Dictated in Open Court


Deputy Registrar

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Q28
O.A. 1014/97

To

1. The Sr.Divisional Personnel Officer
SC Rly, Vijayawada Division, Vijayawada,
Krishna Dist.
2. The Divisional Railway Manager,
SC Rly, Vijayawada Division,
Vijayawada, Krishna Dist.
3. The Chief Personnel Officer, SC Rly
Railnilayam, Secunderabad.
4. One copy to Mr.C. Venkataiah, Party-in-person,
Asst. Station Master, Talamanchi (RS) Nellore Dist.
5. One copy to Mr.K.Siva Reddy, SCfor Rlys, CAT.Hyd.
6. One copy to DR(A) CAT.Hyd.
7. One spare copy.

pvm

97/9/98
I COURT

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COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE D.HANASIRI
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.

O.A.NO. 1014/97
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.

