

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: 25
AT HYDERABAD

OA No.139/97

Date of Decision: 11.2.1997

BETWEEN:

D. Vijaya Babu

.. Applicant

AND

1. Senior Divisional Personnel Officer,
S.C. Rly, Vijayawada Division,
Vijayawada,
Krishna District.

2. Divisional Railway Manager,
S.C. Rly, Vijayawada Division,
Vijayawada,
Krishna District.

3. General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.

.. Respondents

Counsel for the applicant: Mr. M.C. Jacob

Counsel for the respondents: ~~Mr.~~ Mr. C.V. Malle Anand S.C. for Rly

CORAM:

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI: VICE CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD: MEMBER (ADMN.)

ORDER

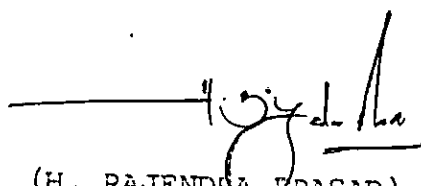
(Per Hon'ble Mr. Justice M.G. Chaudhari: Vice Chairman)


The grievance of the applicant is that although he is eligible for protection of his pay in accordance with para 1313(iii) of the Railway Establishment Code the respondents are not giving the benefit to him despite the decision in OA No. 1252/94 dated 14.11.1994 of this Tribunal being brought to their notice by representation Dt. 20.7.1996 which has not been replied. Same question arose before us earlier in several cases and when we expressed the view that it was desirable that the respondents take a comprehensive ~~stalled~~ ^{being required} decision so as to avoid every similarly placed person to rush to the Tribunal. We were assured on behalf of respondents that the question is being examined. However we are not informed so far of any decision having been taken on this question. The case of the applicant was ^{required to be} considered by the respondents in the light of the above mentioned ~~Tribunal's~~ ^{decision}. The representation of the applicant Dt. 20.7.96 which is stated to have been filed ^{has been} ~~prior to this~~ pending ^{so long} ~~nearly two~~ year. Hence we direct the Divisional Railway Manager, S.C. Railway, Vijayawada Division, to dispose of the representation of the applicant Dt. 20.7.1996 within 2 months from the date of receipt of the order by him and communicate the decision to the applicant. In the event of ^{being aggrieved by} ~~having recorded~~ the decision the applicant ^{will be} ~~is~~ at liberty to agitate ^{against} ~~on~~ the decision by filing fresh OA.

The OA is disposed of in terms of above directions.

It may be noted that a copy of the OA was served by the

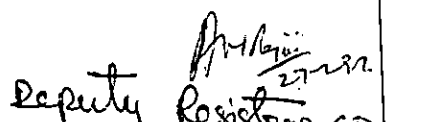
applicant on additional standing counsel on 3.2.1997. A copy of the entire compilation of OA ^{however} ~~to~~ be forwarded to respondent No.2 along with the copy of this order. The learned counsel for the applicant undertakes to supply an extra copy.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)


(M.G. CHAUDHARI)
VICE CHAIRMAN

Date: 11th February, 1997

KSM


Deputy Registrar (D) CC

O.A.139/97

To

1. The Senior Divisional Personnel Officer,
SC Rly, Vijayawada Division, Vijayawada,
Krishna Dist.
2. The Divisional Railway Manager,
SC Rly, Vijayawada Division,
Vijayawada, Krishna Dist.
3. The General Manager, SC Rly,
Railnilayam, Secunderabad.
4. One copy to Mr.M.C.Jacob, Advocate, CAT.Hyd.
5. One copy to SC for Rlys, CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm.

26/3/97

I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD
MEMBER (ADMN)

Dated: 11-2-1997

ORDER / JUDGMENT

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

in

O.A. No.

139/97

T.A. No.

(W.P.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/rejected.

In order as to costs.

pvm.

