

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

(12)

ORIGINAL APPLICATION NO.1495/97

DATE OF ORDER : 06-02-1998.

Between :-

T.Hemantha Kumar Singh

... Applicant

And

1. General Manager,
SC Rlys, Rail Nilayam,
Sec'bad.
2. Chief Commercial Manager,
SC Rlys, Rail Nilayam,
Sec'bad.
3. Chief Personnel Officer,
SC Rlys, Rail Nilayam,
Sec'bad.
4. Divisional Railway Manager,
SC Rlys, Vijayawada.

... Respondents

-- -- --

Counsel for the Applicant : Shri G.V.Subba Rao

Counsel for the Respondents : Shri V.Bhimanna, SC for Rlys

-- -- --

CORAM:

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

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

See

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

Heard Sri G.V.Subba Rao, counsel for the applicant and Sri V.Rajeshwar Rao, counsel for the respondents.

2. The applicant in this OA while working as Travelling Ticket Examiner in the Head Quarter Office under the control of Chief Commercial Manager, Sec'bad, was transferred to Vijayawada. He complied with the orders of the transfer.

3. It is his grievance that after his reporting for duty at Vijayawada, he was not paid --

- (a) Cash Awards amounting to Rs.1,500/-;
- (b) Travelling Allowance arrears from 1991 to 1995 being the difference in TA admissible as per rules consequent on the upgradation of Vijayawada and Visakhapatnam cities eventhough he was entitled to the said difference along with others;
- (c) The difference in night duty allowance due to him from time to time during the years 1994 and 1995; and
- (d) The Travelling Allowance for the month of December, 1995.

4. The applicant has submitted a representation as well as a legal notice through his learned counsel. From Annexure-II, page-8 of the OA it is disclosed that the legal notice served on the respondent was sent to Vijayawada for necessary action.

5. Though six weeks time was granted to the respondents to file a reply, they have not filed any reply so far.

6. The grievance of the applicant appears to be genuine. There is no reason for the respondents to delay the payment of certain legitimate dues. Inspite of the representations and a

(C9)

legal notice, the respondents have not attempted to consider and settle the claims of the applicant.

7. It is submitted that the applicant is presently under suspension and hence he is in financial crisis.

8. Respondent No.4 has to make necessary advice in regard to the claims of the applicant to respondent No.2. I hope that the respondents 2 and 4 will consider the claims of the applicant as per the rules within the time stipulated.

9. In that view of the matter, I feel it proper to direct the respondents 2 and 4 to consider the claims of the applicant detailed above and to take decision as per rules within one month from the date of receipt of a copy of this order.

10. No order as to costs.

B.S.JAI
(B.S.JAI PARAMESHWAR)
6.2.98 Member (J)

Dated: 6th February, 1998.
Dictated in Open Court

av1/

Deputy Registrar

O.A. 1495/97.

To

1. The General Manager,
SC Rlys, Railnilayam, Secunderabad.
2. The Chief Commercial Manager,
SC Rlys, Railnilayam, Secunderabad.
3. The Chief Personnel Officer,
SC Rlys, Railnilayam, Secunderabad.
4. The Divisional Railway Manager, SC Rlys,
Vijayawada.
5. One copy to Mr.G.V.Subba Rao, Advocate, CAT.Hyd.
6. One copy to Mr.V.Bhimanna, SC for Rlys, CAT.Hyd.
7. One copy to HBSJP.M.(J) CAT.Hyd.
8. One copy to DR(A) CAT.Hyd.
9. One spare copy.

pvm

19/2/98
I Court

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE

VICE-CHAIRMAN

AND

THE HON'BLE MR. HARIJENDRA PRASAD: M(A)
BS Jan Parameswar

DATED: 6-2-1998

ORDER/JUDGMENT:

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

O.A.No.

in

1495797

T.A.No.

C.W.P

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक बोर्ड राय
Central Administrative Tribunal
DESPATCH/DESPATCH

18 FEB 1998

HYDERABAD BENCH