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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.155/98

dt.27.12.99

Between

M. Selvaraj

: Applicant

And

1. Union of India,
Rep. by the General Manager
SC Rly, Rail Nilayam
Secunderabad

2. Chief Personnel Officer
SC Rly., Rail Nilayam
Secunderabad

3. Dy. Chief Mechanical Engineer
Carriage Repair Shops, SC Rly.,
Tirupathi, Chittoor District

4. Workshop Personnel Officer,
CRS, SC Railway, Tirupathi
Chittoor District

5. M. Sitaraman
HSK-I, General Fitter, CF Shop
CR.S, SC Rly., Tirupathi

: Respondents

Counsel for the applicant

: S. Ramakrishna Rao,
Advocate

Counsel for the respondents

: D.F. Paul, SC for Railways

Coram

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

Hon. Mr. R. Rangarajan, Member(Admn)



SG

Order

Oral order (per Hon. Mr. R. Rangarajan, Member(Admn))

Heard Ms. K. Parvathi, for Mr. S. Ramakrishna Rao, learned counsel for the applicant and Mr. D.F. Paul, learned counsel for the respondents.

1. The applicant in this OA while working as Diesel Khalasi, was appointed as Khalasi in the Carriage Repair Shop at Tirupathi on the basis of options as on ~~executed by him~~ 15.11.1982. ~~It~~ was transferred to Mechanical Department, South Central Railway on account of his option to absorption in Carriage Repair Shop in Tirupathi with effect from 4.6.1988. The applicant submits that he should have been taken in Tirupathi as Semi skilled and not as Khalasi as he was given Semi skilled grade with effect from 1.8.1978, in view of the retrospective promotion order issued ~~scheme~~. under reclassification. Hence, taking him as Khalasi in Tirupathi is not in order and should have been treated as Semi skilled and on that basis his seniority should be fixed and further benefits should be granted. He has submitted a representation dated 25.12.1997 for the above relief which is enclosed at Annex.VIII to the OA.
2. This OA is filed praying for an order ^{ra} and direction declaring the applicant as deemed to have been transferred to Carriage Repair Shop, SC Railway, Tirupathi, in the Semi skilled grade as Semi skilled optee with effect from 1.8.78 with all consequential benefits and to refix his seniority by reckoning the same in the grade of semi skilled with effect from 1.8.78 and promote him to the next higher post on that basis.
3. The reply given in para-7 quotes the direction given in OA.151/92, but the reasons given for not adhering to the directions is not valid. The prayer and contentions raised in this OA is same as the prayer and contentions raised in OA.157/99 disposed of on 16.12.99.
4. Hence, the following order is passed :



The representation of the applicant dated 25.12.1997 should be disposed of by the concerned competent authority ^{considering} ~~consisting~~ the grounds urged by the applicant and also consider whether the case of the applicant ^{is} similar to the applicant in OA.151/92 AND 706/96 and dispose of the same in accordance with the rules. The same authority shall dispose of the said representation within two months from the date of receipt of copy of this order. The concerned authority after consideration of the representation as directed above shall give suitable reply thereon.

5. The OA is disposed of as above. No costs.

and *E*

(R. Rangarajan)
Member(Admn)

D. H. Nasir
(D.H. Nasir)
Vice Chairman

Dated: 24 December, 99.
Dictated in the Open Court

*Am 2
3-1-2000*

Sk

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH.
HYDERABAD.

1ST AND 2ND COURT

31/12/2000

COPY TO.

1. HONMJ

2. HRRN M (ADMIN)

3. HSSCP.M. (JUDL)

4. D.R. (ADMIN)

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE OH. HASIR
VICE-CH. IRMAN

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMIN)

THE HON'BLE MR. B. S. JAI PARAMESHWAR
MEMBER (JUDL)

DATE OF ORDER 23/12/00

MA/RA/CP.NS.

IN
CA.NO. 1551/00

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NOT ORDER AS TO COSTS

a copy

