

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

CIRCUIT COURT SITTING AT INDORE

ORIGINAL APPLICATION NO. 897 OF 2006

Indore, this the 21st day of December, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Mr. A.K. Gaur, Judicial Member

Pramod Kumar Mehra,
S/o. S.R. Mehra,
Aged 49 years,
Signal Inspector Grade-3
under Chief Signal Inspector (s),
Ratlam.

.....

Applicant

(By Advocate – Shri A.N. Bhatt)

V e r s u s

Union of India – Represented by

1. General Manager,
Western Railway,
Head Quarter Office,
Churchgate, Mumbai.

2. Divisional Rail Manager,
Western Railway,
Divisional Office,
Do-Batti, Ratlam.

.....

Respondents

(By Advocate – Shri Y.I. Mehta, Sr. Adv. assisted by
Smt. S.H. Mehta)

ORDER (Oral)

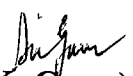
By Dr. G.C. Srivastava, Vice Chairman –


This Original Application has been filed praying fixation of pay under rule 2018-B/FR-22-C, according to which a person promoted or appointed to another post carrying duties and responsibilities of greater importance than those attached to the

C

post held by him gets the benefit of pay fixation as per this rule. This is stated to have been communicated by the Railway Board vide letter No. PC IV 86/IMP/36, dated 4.5.1987 addressed to the General Manager of all the Railways (Annexure A-2). The grievance of the applicant is that he has not been given the benefit of these rules when he was promoted to Signal Inspector Grade-III from the ad-hoc post of Signal Inspector Grade-III (Maintenance). The learned counsel for the applicant has also cited the judgment passed by this Tribunal in OA No. 795 of 1993 which is stated to be in an identical case. The applicant has submitted a representation to the authorities in May, 2006 (Annexure A-4) but he has not received any response to his representation. The learned counsel for the applicant submitted that the applicant would feel satisfied if the authority concerned is directed to consider his representation and pass orders in accordance with the guidelines and rules concerned and also considering the fact that his juniors have already been given the benefit vide order dated 28.11.2005 mentioned in his representation. Accepting this prayer we direct the respondents to decide the representation of the applicant considering all the issues brought in above and pass detailed and reasoned order and give benefits that are due to him as per rules within a period of three months from the date of receipt of this order. Be it noted that we have not expressed any opinion on the merits of the case. Shri Y.I. Mehta, Sr. Adv. assisted by Smt. S.H. Mehta appeared for the respondents and was heard.

2. With this direction the Original Application is disposed of.


(A.K. Gaur)
Judicial Member
"SA"


(Dr. G.C. Srivastava)
Vice Chairman

4

पृष्ठांकन से ओ/का.....जबलपुर, दि.....

परिचालित करने के लिए

- (1) सचिव, राज्य सरकार, जल संसाधन विभाग, जबलपुर
- (2) आजीवन सदस्य, जल संसाधन विभाग, जबलपुर के कार्यालय
- (3) प्रमुख, जल संसाधन विभाग, जबलपुर के कार्यालय
- (4) वरिष्ठ, जल संसाधन विभाग, जबलपुर के कार्यालय

भूतना एवं आवश्यक कार्रवाई हेतु

उप निदेश

D.K. Bhatt
Ratlam
V. J. Mehta
JMD

Issued
on 28/12/02
H