

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A./020/623/2016  
Date of Order : 26-04-2018

Between :

S.N. Krishna Moorthy  
S/o S. Nagappa, aged about 61 years,  
Retired Senior Loco Inspector and now  
Resident of D.No.6/766-1, Benchkottal,  
Guntakal-515801, Anantapur District. ....Applicant

AND

1. Union of India, rep by the General Manager,  
South Central Railway, Rail Nilayam,  
Secunderabad.
2. The Chief Personnel Officer, Rail Nilayam,  
S.C. Railway, Secunderabad.
3. The Divisional Railway Manager,  
South Central Railway, Guntakal Division,  
S.C. Railway, Guntakal. ...Respondents

Counsel for the Applicant: Mr. K. Venkateswara Rao, Advocate

Counsel for the Respondents : Mr. D.Madhava Reddy, SC for Rlys

CORAM :

THE HON'BLE MR.JUSTICE R.KANTHA RAO, JUDICIAL MEMBER

THE HON'BLE MRS. MINNIE MATHEW, ADMINISTRATIVE MEMBER

(Oral order per Hon'ble Mr.Justice R.Kantha Rao, Judicial Member )

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Heard Mr. K. Venkateswara Rao, learned counsel appearing for the  
applicant and Mr. D. Madhava Reddy, learned Standing Counsel for  
Respondent Railways.

2. Pleadings have been completed.
3. Learned counsel for the applicant submits that the claim of the applicant is similar to that of the applicants in OA No.511/2011 dated 16.08.2012 before this Tribunal and thus sought for extension of the same benefits to the applicant herein.
4. Mr. D. Madhava Reddy, learned Standing counsel for Respondent Railways submits that the matter is pending before the Hon'ble Apex Court and in earlier matters, direction was given subject to the result of the pending SLP.
5. In view of the above circumstances, the OA is disposed of with a direction to the Respondents to re-fix the pay of the applicants on par with the applicants in the disposed of matter in OA No.511/2011 dated 16.08.2012, if they are similarly situated by taking into consideration 55% add on element of basic pay instead of 30%. However, we make it clear that this order would be subject to the result of SLP (c) No.4758/2016 & batch in WPC No.2937/2007 in RP No.377/2015, dated 09.10.2015 pending before the Hon'ble Apex Court and shall be implemented only after a final decision is taken by the Hon'ble Apex Court in the said SLP.
6. Thus, the OA is disposed of accordingly. No order as to costs.

(MINNIE MATHEW)  
ADMINISTRATIVE MEMBER

(R.KANTHA RAO)  
JUDICIAL MEMBER

Dated : 26<sup>th</sup> April, 2018.  
Dictated in Open Court.

