

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00070/2017

Wednesday, this the 23rd day of January, 2019

CORAM:

Hon'ble Mr. Ashish Kalia, Judicial Member

M.Kunjuramu
 Track Maintainer, Grade -I (Retd.)
 Melakath Pulliparamba P.O
 Chelembra, Malappuram **Applicant**

(By Advocate : Mr.Siby J Monippally)

V e r s u s

1. Union of India rep. by
 General Manager, Southern Railway
 Chennai
2. Senior Divisional Personnel Officer
 Southern Railway, Trivandrum Division
 Trivandrum **Respondents**

(By Advocate : Mrs.Girija K.Gopal)

This application having been heard on 23.1.2019 the Tribunal on the same day delivered the following:

O R D E R (ORAL)

Hon'ble Mr. Ashish Kalia, Judicial Member –

This Original Application had been heard at length on two occasions and even the Senior Divisional Personnel Officer was also present for answering the query raised by this Tribunal. The short question raised by the applicant in the present Original Application is whether the applicant is entitled to the post of Track Maintainer Grade I with Grade Pay of

Rs.2800/- whereas the contrary stand taken by the respondents is that he is a Track Maintainer Grade II with Grade Pay of Rs.2400/- on the date of his retirement i.e, on 31.10.2014 and Track Maintainer Grade I post is selection post following by trade test.

2. The grievance of the applicant is that his juniors have been considered by modifying the rules of selection and he should also have been considered in similar lines though he is retired. He has relied upon certain circulars and letters which are not placed on record. Learned counsel Mrs.Girija K.Gopal for the respondents has objected and submitted that unless and until these documents are placed on record, she is not able to comment upon it nor give any assistance to this Tribunal. Even the representation made by the applicant has not categorically stated his grievance. In the interest of justice, in my considered view, let the applicant be made a detailed representation within a period of two weeks. Respondents after receiving that representation may dispose of the same within a period of 60 days. In the event of any grievance subsists even thereafter, applicant may approach this Tribunal again otherwise matter comes to an end.

3. The Original Application is disposed of as above. No costs.

**(ASHISH KALIA)
JUDICIAL MEMBER**

Sv

List of Annexures

Annexure A-1 - A photostat copy of the service certificate

Annexure A-2 - A photostat copy of the representation dated 10.12.2015

Annexure R1 - True copy of Railway Board's order, RBENo.91/2012 dated 17.8.2012

Annexure R2 - True copy of the O.O No.02/2014/WP/ALLP dated 26.12.2014

Annexure R3 - True copy of the Railway Board's order RBE No.81/2013 dated 13.8.2013.

Annexure A3 - A photostat copy of the Govt. of India order dated 22.9.2014

Annexure A4 - A photostat copy of the service register of the applicant

Annexure R4 - True extract of Section I of the First Schedule of the Revised pay structure of posts carrying scales in Group 'D', 'C', 'B' & 'D' from 1.1.2006 in VI PC takes from RBE No.108/2008 dated 11th September 2008.

...