

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/01043/2018

Friday, this the 21st day of December, 2018

Hon'ble Mr. E.K. Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member

Philip Mathew, aged 48 years, S/o.K.V.Mathai
Office Superintendent (Safety) Divisional Office
Southern Railway, Trivandrum
Residing at – C -3C, Muthoot Green Valley
Krishna Nagar Lane, AKG Road
Trivandrum

..... **Applicant**

(By Advocate – M/s.Varkey & Martin)

v e r s u s

- 1 Union of India represented by the Secretary
Govt. Of India, Ministry of Railways
Railway Bhavan, New Delhi – 110 001
2. The General Manager, Southern Railway
Park Town
Chennai-600 003
3. The Senior Divisional Personnel Officer
Southern Railway
Trivandrum Division, Trivandrum - 14

..... **Respondents**

(By Advocate – Mr.Sunil Jacob Jose)

This Original Application having been heard on 21.12.2018, the Tribunal on the same day delivered the following :

ORDER (ORAL)

Per: Mr.E.K.Bharat Bhushan, Administrative Member

Heard Mr.Martin G.Thottan, learned counsel for the applicant. Mr.Sunil Jacob Jose takes notice on behalf of the respondents.

2. Applicant is aggrieved by the action on the part of the respondents to effect recovery by reducing the basic pay of the applicant with retrospective effect. He has filed a representation addressed to respondent no.2, copy of which is available at Annexure A-3, seeking consideration of his case.

3. We are of the view that the Original Application can be disposed of at this stage by directing respondent no.2 to consider and dispose of the representation at Annexure A-3 within 30 days from the date of receipt of a copy of this order. In the meanwhile, until a decision is taken on the Annexure A-3 representation, there shall be no further recovery.

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

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

List of Annexures

Annexure A1 - True copy of the Memorandum No.V/P.11/II/SNP-Guards dated 4.10.2016 issued by the 3rd respondent

Annexure A2 - True copy of the letter bearing No.V/P.II/II/SNP-Guards dated 6.6.2018 issued by the 3rd respondent

Annexure A-3 - True copy of the representation dated 20.6.2018 submitted by the applicant.

. . .