

LIBRARY

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 350/00237/2019

Date of order: 09.04.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Koneru Chiranjeevulu,
C/o. Sanjay Paul,
House No. 644/A-2,
South Side,
Bungalow Side,
Kharagpur,
Post - Kharagpur,
Dist. - Paschim Medinipur,
Pin - 721301,
West Bengal.

Applicant

- VERSUS -

1. The Union of India,
Through the General Manager,
South Eastern Railway,
Garden Reach,
Kolkata - 43.
2. The Chief Personnel Officer,
South Eastern Railway,
Garden Reach,
Kolkata - 43,
West Bengal.
3. Divisional Railway Manager,
S.E. Railway,
Kharagpur Division,
Post - Kharagpur,
Dist. - Paschim Medinipur,
Pin - 721301,
West Bengal.
4. Senior Divisional Personnel Officer,
S.E. Railway,
Kharagpur Division,
Kharagpur,
Dist - West Medinipur - 721 301,
West Bengal.

hsh

... Respondents

For the Applicant : Mr. M.S.S. Rao, Counsel

For the Respondents : Ms. G. Roy, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(i) An appropriate order calling upon the respondents to pass an appropriate order to fix up the pay of the applicant by stepping up of pay of the applicant at par with his junior Shri S.S. Maharana.

(ii) To revise the pension, gratuity, leave salary and settlement dues after stepping up of pay.

(iii) Any order or orders and/or direction as your Lordships will deem fit and proper in terms of application."

2. Heard Id. Counsel for both sides examined documents on record. The matter is taken up at the admission stage.

3. The applicant has submitted through his Id. Counsel as follows:-

That, the applicant was appointed in the Railways on 30.9.1975 as a Shed Khalasi, promoted to the post of Assistant Loco Pilot in 1984. The applicant was further promoted as Loco Pilot (Goods) on 31.3.1994, as Loco Pilot (Passenger) on 11.9.2003 and thereafter was selected to the post of Chief Loco Inspector on 25.5.2005.

That, one Shri S.S. Maharana, who is working as Chief Loco Inspector/Kharagpur, and who is junior to the applicant with respect to the date of appointment and also with respect to promotion to the posts of ALP, Loco Pilot (Goods), Loco Pilot (Passenger) and Chief Loco Inspector vis-à-vis the applicant, is earning a higher pay than that of the applicant. Hence, the applicant, vide his letters dated 3.3.2017, 7.4.2017, 13.12.2017 and finally that dated 1.2.2018 repeatedly requested the respondent authorities to step up his pay at par with his junior, Shri S.S. Maharana, but that his representations were neither responded to nor decided upon by the respondent authorities.

hse

Ld. Counsel for the applicant submits that the applicant would be fairly satisfied if a direction is issued on the concerned respondent authority to dispose of his representation dated 1.2.2018 within a specific time frame.

4. Ld. Counsel for the respondents does not object to consideration of such representation as per law.

5. Accordingly, without entering into the merits of the matter, and, with the consent of the parties, we hereby direct the respondent No. 1, i.e. the General Manager, South Eastern Railway, Garden Reach, Kolkata to examine the contents of the representation dated 1.2.2018 (Annexure A-4 to the O.A.), if received at his end, within a period of six weeks from the date of receipt of a copy of this order. Post such examination, the respondent No. 1 will decide as per law and convey his decision in the form of a reasoned and speaking order to the applicant forthwith thereafter. Benefits, if any, arising from such reasoned order, should be released within a period of eight weeks of the decision of the competent authority.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP