

Union of India vs Jaikrishnan Narayan

Union of India vs Jaikrishnan Narayan

SooperKanoon Citation : sooperkanoon.com/1282388

Court : Kerala Orders

Decided On : Mar-04-2025

Judge : Honourable Mr. Justice Amit Rawal,Honourable Mr.Justice K. V. Jayakumar

Appeal No. : OP (CAT)/82/2021

Appellant : Union of India

Respondent : Jaikrishnan Narayan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR TUESDAY, THE 4TH DAY OF MARCH 2025 / 13TH PHALGUNA, 1946 OP (CAT) NO. 296 OF 2019 AGAINST THE ORDER DATED 30.01.2019 IN OA NO.951 OF 2017 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH PETITIONERS: 1 UNION OF INDIA, REPRESENTED BY THE GENERAL MANAGER, SOUTHERN RAILWAY, PARK TOWN, CHENNAI - 600 003. 2 THE DIVISIONAL PERSONAL OFFICER, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM - 695 014. BY ADV C.DINESH RESPONDENTS:

1 M.SIVAKUMAR, AGED 55 YEARS S/O.P.MANICKAM, SR.TECH/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT SWOPARNIKA, 31/1023-K, VALAVIPADAM LANE, RAIL NAGAR -1, VYTTILA P.O., ERNAKULAM - 682 020. 2 K.P.RAJENDRAN, AGED 50 YEARS, S/O.K.K.PARAMESWARAN, SR.TECH/1/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT KOCHUPARAMBIL HOUSE, PATHIPPALLY P.O., MOOLAMATTOM, IDUKKI, PIN - 685 589. 3 M.SATHEESH KUMAR, AGED 50 YEARS, S/O.N.MUTHU, SR.TECH/1/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 14/IPRR COLONY, COIMBATORE - 695 584.

4 RENY C.ISSAC, AGED 55 YEARS, S/O.PETER ISSAC, SR.TECH/1/AC, SSE/O/EKM CD SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PANDARAYIL HOUSE, KUREEKKAD, ERNAKULAM - 682 305. 5 C.K.SOMASUNDARAN, AGED 56 YEARS, S/O.KARUNAKARAN, SR.TECH/1/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THACHAMPARAMBIL HOUSE, AMBALLOOR P.O., PIN - 682 315. 6 P.G.RADHAKRISHNAN, AGED 56 YEARS, S/O.V.GOPALAN, SR.TECH/1/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THAMBI PARAMBIL HOUSE, NADYATTU KUNNAM, NORTH PARAVOOR P.O., ERNAKULAM - 683 513. 7 M.T.RAGHU, AGED 52 YEARS, S/O.K.K.THANKAPPAN, SR.TECH/1/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT MANAKKALAYIL HOUSE, KUMBANAD P.O., THIRUMALA, PATHANAMTHITTA - 689 547. 8 RAJESH PUTHUKKODIPUYIL, AGED 38 YEARS, S/O.RAJAN VALLACHERI, SR.TECH/III/AC RESIDING AT PUTHUKODIYIL HOUSE, CHERMATHU P.O., VADAKARA, PIN - 673 104.

9 V.MATHIVANAM, AGED 53 YEARS, S/O.N.VARDHAN, ACCA, SSE/O/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT FLAT

NO.245/59, INDIRA STREET, KIZHA AMBIKAPURAM, TIRUCHI - 620 004, TAMILNADU. 10 A.I.CHACKO, AGED 58 YEARS, S/O.ITY AVERA, ACCA, SSE/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT AMMNATHY HOUSE, VALLAMKULLAM P.O., THIRUVALLA, PATHANAMTHITTA - 689 541. 11 K.B.SAJI, AGED 54 YEARS, S/O.K.V.BALAKRISHNAN, TECH/ELE/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT KOCHUKULANGETH HOUSE, KUREKKAD, PIN- 682 305, ERNAKULAM. 12 P.SREEKUMAR, AGED 57 YEARS, S/O.C.N.PANKAJAKSHAN PILLAI, TECH/ELE/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PUTHENZHATH HOUSE, ELANKUNNAPUZHA, PIN - 682 503.

13 N.R.ANILKUMAR, AGED 50 YEARS, S/O.P.RAJU, TECH/II/AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT NARAYAKUDA HOUSE, CHANDRAPURA, MANJARA POST, ANGAMALI - 683 572. 14 P.MANIKANDAN, AGED 48 YEARS, S/O.GOPALAN NAIR, ACCA SSE/O/E/ERM, PERULI HOUSE, KALADI, EDAPPAL, KUTTIPURAM, MALAPPURAM - 679 576. 15 K.T.NARAYANAN, AGED 51 YEARS, S/O.KARIPPU, ACCA SSE/O/E/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THOMBODI HOUSE, CHAMUNDI KUNNU P.O., RAJAPURAM, KASARGOD - 671 532. 16 P.RADHAKRISHNAN, AGED 53 YEARS, S/O.KRISHNAN NAIR, ACCA SSE/O/E/ERM, PRACHINKAYIL HOUSE, MAYANNUR P.O., THRISSUR - 679 105. 17 P.A.RAJAN, AGED 56 YEARS, S/O.ARUMUGHAN, ACC/ERM, ACCA SSE/O/ERM, PULIKODE HOUSE, MUTTIKULANGARA P.O., PALAKKAD DISTRICT, PIN - 678 594. 18 K.M.SATHYANARAYANAN, AGED 51 YEARS, S/O.K.P.NARAYANAN NAMBEESAN, ACCA/ERM, POYILIL HOUSE, SANKARANELLUR P.O., KOOTHUPARAMBU (VIA), KANNUR - 670 643. 19 EAPPEN GEORGE, S/O.O.GEORGE, AGED 55 YEARS, TECH/II/AC/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT HIKK VIEW BUNGLOW, ALATHUR, VENNUR, MELADUR P.O., THRISSUR - 680 741. 20

V.RAMAKRISHNAN, AGED 52 YEARS, S/O.T.VIJAYA MENON, SR/CLWEK/ERM, CHENNOTH HOUSE, THEKKUMBHAGOM, TRIPUNITHURA P.O., ERNAKULAM - 682 301. 21 H.RAKESH, AGED 33 YEARS, S/O.K.HARIDAS, TECH.GR.III/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT KAIPPILLY HOUSE, CHOOLISSERY P.O., MUNDOOR P.O.,

THRISSUR - 680 541. 22 K.RAMACHANDRAN, AGED 43 YEARS, S/O.RADHAKRISHNAN NAIR, ACCA/ERM, KADAMATTIL HOUSE, VADAKKANCHARI, THRISSUR DISTRICT - 680 582. 23 N.O.JOSE, AGED 51 YEARS, S/O.USEPH, ACCA/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT NEDUMPARAMBIL HOUSE, KARUKUTTY, CHALAKKUDY, THRISSUR - 683 576. 24 M.R.KANNAN, AGED 54 YEARS, S/O.M.K.RAJAN, TECH/III, SSE/O/E/ERN, ACCA/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PAVITHRAM, MELEPURAM, OLAVAKODE, PALAKKAD - 678 002. 25 M.C.SANTHOSHKUMAR, AGED 54 YEARS, S/O.C.CHELLAPPAN, TECH/II/AC/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PRIYA NIVAS, CHERTHALA P.O., ALAPPUZHA, PIN - 688 524. 26 T.C.KRISHNAN, AGED 57 YEARS, S/O.CHITHAMBARAN, TECH/II/AC, SSE/O/ELE/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THITTATHARA HOUSE, NEAR PALLIYERIKAL TEMPLE, EDAVANAKKAD P.O., ERNAKULAM - 682 502. 27 K.M.MURALEEDHARAN, AGED 56 YEARS, TECH/II/AC, SSE/O/ELE/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THYULLATHIC HOUSE, SWOPARNIKE, NEW STREET P.O., BADAARA, KOZHIKODE - 673 309. 28 K.C.HARIBABU, AGED 57, S/O.C.K.CHITTIBABU, TELL/III/AC/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PILLAYAR KOVIL THERUVU, ARAKKONNAM, PIN - 631 002. 29 K.SUDHAKARAN, AGED 52 YEARS, S/O.K.P.VELAYUDHAN NAIR, ACCA/ERM VRINDHAVAN HOUSE, KOLATHAR P.O., CHERUVANNUR, CALICUT - 673 027. 30

K.A.JOHNSON, AGED 53 YEARS, S/O.ANTONY, TECH/III/SSE/O/E/ERM, KANNAIKAI HOUSE, MUNDTHIKODE P.O., THRISSUR - 680 001. 31 U.KRISHNAKUMAR, AGED 52 YEARS, S/O.RADHAKRISHNAN NAIR, ACCA, SSE/O/ELE/ERM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION,

RESIDING AT NANDANAM, VALLUR, SANKARA MANGALAM P.O., PALAKKAD - 679 003. 32 K.MUHAMMED MUSTAFA, AGED 48 YEARS, S/O.ALAVI, TECH/III/AC,SSE/O/ELE/ERM KOZHIPADOM HOUSE, THUVOOR P.O., MALAPPURAM - 679 327. 33 P.SREENIVASAN, AGED 54 YEARS, S/O.RAMANKUTTY, ACCA/SSE/O/E/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PURATHATTY HOUSE, CHEKKALATHUR P.O., NEAR MEDICAL COLLEGE, KOZHIKODE - 673 008. 34 T.RAJU, AGED 54 YEARS, S/O.RAGHVAN, ACCA/SSE/O/E/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THEKKEKARA HOUSE, KAIPATTUR P.O., ARAYANKAVU, ERNAKULAM - 689 648. 35 C.K.VIJAYAN, AGED 52 YEARS, S/O.C.C.KANNAN, TECH/III/AC, SSE/O/E/ERM CHATHAN KANDATHIC HOUSE, MANKARA P.O., PALAKKAD - 678 613. 36 T.D.PADMAKARAN NAIR, AGED 57 YEARS, S/O.P.DAMODHARAN, TECH/III/AC, SSE/O/E/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT RAGHAVASSERIL, THENNADI, CHIRAYAKOM, THAKZHI, PIN - 688 562. 37 T.H.PAVITHRAN, AGED 56 YEARS, S/O.T.H.NANU, TECH/III/AC, SSE/O/E/ERM THYULLATHIL HOUSE, NUT STREET, PAZHAMKAVU P.O., BADAARA - 673 104. 38 K.CHANDRAN, AGED 48 YEARS, S/O.KIDUNAIAK, ACCA, SSE/O/E/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT KADUNCHA HOUSE, BALANTHOD RAJARAM (VIA) KASARAGODE - 671 532. 39 A.RAVEENDRAN, AGED 54 YEARS, S/O.C.VELAYUDHAN, TECH/III/SSE/O/E/KCVL GEETHA MANDIRAM, MATHUR P.O., PALAKKAD - 678 571. 40 M.D.HARIDASAN, AGED 58 YEARS, S/O.M.K.DHAMODHARAN PILLAI, TECH/II/AC, SSE/O/E/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT SAIKRIPA, KANJIRAMATTOM, ERNAKULAM - 682 315. 41 A.T.VARGHESE, AGED 51 YEARS, S/O.A.V.THOMAS, ACCA, SSE/ELE/O/ERM ACHANDY HOUSE, POTHYAKKARA, YORDHANAPURAM P.O., KALADY, PIN - 983 574,

ERNAKULAM DISTRICT. 42 ROY V.ABRAHAM, AGED 53 YEARS, S/O.V.A.ABRAHAM, TECH//AC, SSE/O/E/ERM, ERAYIL HOUSE, KUMARANALLUR P.O., KOTTAYAM - 686 016. 43 T.RAMAKRISHNAN, AGED 52 YEARS, S/O.J.THAIGARAJAN, ACCA/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 15/39, KANARAJAPPURAM, 35TH VEETH, GANESHNAGAR, PUDUKOTTA, TAMIL NADU - 622 001. 44 A.PURUSHOTHAMAN, AGED 57 YEARS, S/O.A.K.ANJI, ACCA, SSE/O/E/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT DOOR NO.69, KV VATTAM, VAKANAON PETT P.O., JOLAR PETTAI, TAMIL NADU - 635 851. 45 C.S.ANANDAKUMAR, AGED 54 YEARS, S/O.C.SIVADAS, TECH//AC, SSE/O/E/ERM SOWPARNIKA WEST KADUNGALLUR, ALUVA, ERNAKULAM - 683 502. 46 T.T.SUDHEER KUMAR, AGED 47 YEARS, S/O.T.R.THANKAPPAN, ACCA.SSE/O/E/ERM TOTTEIPAI HOUSE, AVANISSERY P.O., VALLISSERY, THRISSUR - 680 317. 47 MATHEW VARKEY, AGED 49 YEARS, S/O.V.C.VARKEY, TECH//AC/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT VARANGANAI HOUSE, MUTTOM P.O., THODUPUZHA, IDUKKI DISTRICT - 685 587. 48 SHISHIR BAKHLA, AGED 52 YEARS, S/O.S.BHAKLA, SR.TECH/AC/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 143/A RLY QRS, ERNAKULAM SOUTH JN. COCHIN - 682 018.

49 K.S.SUMESH, AGED 35 YEARS, S/O.K.S.SUKUMARAN, ACCA/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT VYGHA NIVAS, VAZHAPARAMBU, MULLAMTHURUTHI, ERNAKULAM - 682 314. 50 C.VIJAYAN, AGED 51 YEARS, S/O.CHENNAPPU NAIK, ACCA/ERM SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PRANAVAM HOUSE, PANATHADI P.O., RAJAPURAM, KASARKODE - 671 532.

51 K.C.JAYENDRAKUMAR, AGED 48 YEARS, S/O.BHASKARAN NAIR, ACCA, SSE/E/ERM KODUVELI HOUSE, THURUTH P.O., ALUVA, ERNAKULAM - 683 101. ADDL 52 JAYALAKSHMI AGED 48, W/O.M SATHEESH KUMAR S/O.N MUTHU, Sr. TECH//AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION,

RESIDING AT 16, PRR NAGAR, 2ND STREET, VADAVALLI, P W PUDUR, COIMBATORE TAMIL NADU-641 041 ADDL 53 AKHILESH S J, AGED 18 YEARS S/O.SATHEESH KUMAR, AGED 50 YEARS, S/O.N MUTHU Sr. TECH//AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 16, PRR NAGAR, 2ND STREET VADAVALLI, P W PUTHUR, COIMBATORE TAMIL NADU 641 041 ADDL 54 KAMALESH S J, AGED 12 YEARS, S/O.SATHEESH KUMAR, AGED 50 YEARS, S/O.N MUTHU Sr. TECH//AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 16, PRR NAGAR, 2ND STREET VADAVALLI, P W PUTHUR, COIMBATORE TAMIL NADU 641 041 REPRESENTED BY HIS MOTHER JAYALAKSHMI AGED 48, S/O.SATHEESH KUMAR, AGED 50 YEARS, S/O.N MUTHU Sr. TECH//AC/ERM/SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 16, PRR NAGAR, 2ND STREET VADAVALLI, P W PUTHUR, COIMBATORE TAMIL NADU 641 041 (ADDL. RESPONDENTS R52 TO R54 ARE IMPEADED AS PER THE

ORDER DATED 27/01/2020 IN I A NO.1/2020 IN OP(CAT)

BY ADV SRI.MARTIN G.THOTTAN THIS OP (CAT) HAVING BEEN FINALLY HEARD ON ON 04.03.2025, ALONG WITH OP (CAT).40/2020, 65/2020 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR TUESDAY, THE 4TH DAY OF MARCH 2025 / 13TH PHALGUNA, 1946 OP (CAT) NO. 40 OF 2020 AGAINST THE ORDER DATED 04.11.2019 IN OA NO.988 OF 2018 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH PETITIONERS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY THE GENERAL MANAGER,
SOUTHERN RAILWAY, PARK TOWN P.O., CHENNAI - 600 003. 2

SENIOR DIVISIONAL PERSONNEL OFFICER, SOUTHERN RAILWAY,
TRIVANDRUM DIVISION, TRIVANDRUM - 695 014. 3 SENIOR
DIVISIONAL MECHANICAL ENGINEER, SOUTHERN RAILWAY,
TRIVANDRUM DIVISION, TRIVANDRUM - 695 014. 4 DIVISIONAL
ENGINEER (ELECTRICAL)-GENERAL, SOUTHERN RAILWAY,
TRIVANDRUM DIVISION, TRIVANDRUM - 695 014.

BY ADV C.DINESH RESPONDENTS/APPLICANTS: 1 K.C.PRAKASH,
S/O.K.C.CHELLAPPAN, TECHNICIAN-1/AC, O/O. THE SENIOR SECTION
ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM
DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT K.C.HOUSE,
KUNNUMMAKKARA P.O., VIA CHEMBALA, CALICUT - 673 308. 2 P.ANIL
KUMAR, S/O.PRABHAKARAN PILLAI, TECHNICIAN-II/AC, O/O.THE SENIOR
SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY,
TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT
NANDANAM, CHARUKADU, CHEMMAKKADU P.O., KOLLAM - 691 601. 3
JULIAN XAVIER FERNANDEZ, S/O.XAVIER, SR.TECHNICIAN/AC, O/O THE
SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY,
TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT
JULIATH BHAVAN, NEENDAKARA P.O., KOLLAM - 691 582. 4 S.AJITH KUMAR,
S/O.P.SIVAN PILLAI, AC COACH ATTENDANT,O/O THE SENIOR SECTION
ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM
DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT KRISHNA
BHAVAN, TC 26/1602, PRESS ROAD, THIRUVANANTHAPURAM - 695 001. 5
S.SANTHOSH KUMAR, S/O.S.SHANMUGHAN, SR.TECHNICIAN/AC, O/O THE
SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY,
TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT
TC 18/1627/2, SOPANAM, ARA (38A), ANAYIDAVAZHI, PURAPOTTA LINE,
ARUMADA P.O., THIRUVANANTHAPURAM - 695 032. 6 RAJU S.,
S/O.G.SREEDHARAN, TECHNICIAN-II/AC,O/O THE SENIOR SECTION
ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM
DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT SANTHA
BHAVAN, PARAMESWARAM, MUDAKKAL P.O., CHEMPOOR - 695 103. 7
K.ANIL KUMAR, S/O.V.SANKARANKUTTY NAIR, AC COACH ATTENDANT, O/O

THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT VALAVATH HOUSE, KAYILLAD P.O., SHORNU-2, PALAKKAD - 679 122. 8 V.M.SREEKUMAR, S/O.VELAYUDHAN, TECHNICIAN-I/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT PAPPURATHU VEEDU, KULATHOOR, UHAKADA P.O., THIRUVANANTHAPURAM - 695 506. 9 MOHANAN C., S/O.CHELLAPPAN, SR.TECHNICIAN/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT JISHNU BHAVAN, KURUPUZHA, VEMB, MANALAYAM, ELAVATTOM P.O., THIRUVANANTHAPURAM - 695 562.

10 P.JAYALAL, S/O.D.POULOSE, SR.TECHNICIAN/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT SRUTHILAYAM, TAGORE GARDENS, CHAMPAYIL ROAD, NEYYATTINKARA, THIRUVANANTHAPURAM - 695 121. 11 M.SUKESH, S/O.MURALEEDHARAN NAIR, TECHNICIAN-I/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT MURALEERAVAM, VALLAMCODE, KALLIYOOR P.O., THIRUVANANTHAPURAM - 695 042.

12 SHOURY KUMAR MALLELA, S/O.M.LAZAR, TECHNICIAN-I/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT 754, ANVER GARDENS, POOJAPPURA RAILWAY COLONY, THIRUVANANTHAPURAM - 695 012. 13 K.JAYAPRAKASH, S/O.KOCHUVALLU PILLAI, AC COACH ATTENDANT, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT ATHIRA,

WATCHER MUKKU, VARKALA, THIRUVANANTHAPURAM - 695 141.

14 M.RAMA KRISHNAN, S/O.MURUKESHAN, TECHNICIAN-I/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT NO.9, 7TH MAIN ROAD, ANNA NAGAR, PAMMAL 75, CHENNAI - 600 075. 15 JAGADEESAN P.N., S/O.M.C.NARAYANAN NAIR, AC COACH ATTENDANT, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN

RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT PARAVATHY NIVAS, CHIRAYINKIL P.O., THIRUVANANTHAPURAM - 695 304. 16 RAVINDRA KUMAR, S/O.GUNESHWAR SAH, TECHNICIAN-I/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT RAILWAY COLONY, Q.NO.129/D,THAMPANOOR, THIRUVANANTHAPURAM - 695 014.

17 PADMAKUMAR B., S/O.G.BALAKRISHNAN NAIR, AC COACH ATTENDANT, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT KURICHI VILA, MALAYAM P.O., THIRUVANANTHAPURAM - 695 571. 18 SREEKUMAR K., S/O.KUTTAN PILLAI, SR.TECHNICIAN/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT PUTHIYAKADA, THEKKEVEEDU, THIRUPURAM, KANCHAMPAZHINJI P.O., THIRUVANANTHAPURAM - 695 525. 19 R.SUNIL KUMAR, S/O.Z.RAMACHANDRN NAIR, AC COACH ATTENDANT, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT C.R.SADANAM, KAKKAMOOLA, KALLIYOOR P.O., THIRUVANANTHAPURAM - 695 522.

20 M.SONAI, S/O.MUTHAN, AC COACH ATTENDANT, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, 6/845, KARUPPUSAMY NAGAR, VIRUDHUNAGAR DISTRICT, TAMIL NADU - 626 001. 21 P.RAJESH, S/O.PRASANNAKUMARAN NAIR, TECHNICIAN-II/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT 754, ATHAM, KALLARATHALA, MUKKAMPALAM MOODU, NARUVAMOODU P.O., THIRUVANANTHAPURAM - 695 027. 22 K.ARJUNAN, S/O.K.KESAVAN, SR.TECHNICIAN/AC,O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM

DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT KAVIYALLOOR, EDICHAKAPILAVILAI, KATTATHURAI P.O., K.K.DISTRICT, TAMIL NADU - 629 158. 23 AJITHKUMAR K.B., S/O.G.BHASKARAN NAIR, SR.TECHNICIAN/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT PADMASREE HOUSE, VENKADAMPU P.O., THIRUVANANTHAPURAM- 695 006.

24 P.NADESAN, S/O.M.PACHAN, TECHNICIAN -III/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT KGRA-331/1/TC 93/777, KALLUMOODU, ANAYARA P.O., THIRUVANANTHAPURAM - 695 629. 25 HARIDASAN AVALADAN, S/O.KARI A., AC COACH ATTENDANT,O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT UNNIYATHI PARAMBIL HOUSE, ANDIYOORKAVU P.O., PULIKKAL (VIA), MALAPPURAM DISTRICT - 673 637. 26 K.P.SHARMA, S/O.V.M.PODIYAN,

SR.TECHNICIAN/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT ASHISH BHAVAN, KODUKULANJI P.O., CHENGANNUR - 689 508. 27 S.K.SHINE, S/O.SAMUEL KUNJAPPY, SR.TECHNICIAN/AC, O/O THE SENIOR SECTION ENGINEER/E/AC/TRIVANDRUM, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, THIRUVANANTHAPURAM - 695 014, RESIDING AT THADATHIL PARAMBIL HOUSE, CHINGAVANAM P.O., KOTTAYAM DISTRICT - 686 531. SRI MARTIN G THOTTAN THIS OP (CAT) HAVING BEEN FINALLY HEARD ON 04.03.2025, ALONG WITH OP (CAT).296/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR TUESDAY, THE 4TH DAY OF MARCH 2025 / 13TH PHALGUNA, 1946 OP (CAT) NO. 65 OF 2020 AGAINST THE ORDER DATED IN OA NO.942 OF 2018 DATED 02.12.2019 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH PETITIONERS: 1 UNION OF INDIA REPRESENTED BY THE GENERAL MANAGER, SOUTHERN RAILWAY, PARK TOWN P.O., CHENNAI-600 003. 2 DIVISIONAL PERSONNEL OFFICER, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM-695 014. BY ADV C.DINESH RESPONDENT: P.V. PRADEEP S/O.M.N.VASUDEVAN NAMBOOTHIRI, SENIOR TECHNICIAN/AC, SSE/ELECTRICAL, KOCHUVELI P.O., TRIVANDRUM DIVISION OF SOUTHERN RAILWAY, RESIDING AT PRANAVAM, IRUKUNNAM, TRIVANDRUM-695 021. THIS OP (CAT) HAVING BEEN FINALLY HEARD ON 04.03.2025, ALONG WITH OP (CAT).296/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR TUESDAY, THE 4TH DAY OF MARCH 2025 / 13TH PHALGUNA, 1946 OP (CAT) NO. 87 OF 2020 AGAINST THE ORDER DATED 17.01.2020 IN OA NO.22 OF 2019 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH PETITIONERS: 1 UNION OF INDIA REPRESENTED BY THE GENERAL MANAGER, SOUTHERN RAILWAY, PARK TOWN P. O., CHENNAI - 600 003. 2 SENIOR DIVISIONAL ELECTRICAL ENGINEER SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM - 695 014. 3 SENIOR DIVISIONAL PERSONNEL OFFICER SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM - 695 014. 4 SENIOR SECTION ENGINEER (ELECTRICAL) SOUTHERN RAILWAY, ERNAKULAM, KOCHI - 682 020. BY ADV C.DINESH RESPONDENTS: 1 ALEXANDER GEORGE, AGED 57 YEARS S/O. GEORGE, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT MATTATHIL HOUSE, KANNICKAL, MOOLAMATTOM, IDUKKI - 685 589. 2 N. SUDHAKARAN NAIR, AGED 58 YEARS S/O. NARAYANAN NAIR, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT ABHIRAMAM HOUSE, THAKAZHY, THAKAZHY P. O., AMBALAPPUZHA - 688 562. 3 K. I. SABU, AGED 56 YEARS S/O. K. J. ISSAC, SENIOR TECHNICIAN/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT KURANGATTU HOUSE, MELUKAVUMATTOM, KOTTAYAM - 686 652. 4 M. RAJKUMAR, AGED 56 YEARS S/O. MANIYAN NAIR, TECHNICIAN-I/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT MANGATTU HOUSE, VADAKKENCHERY, PALAKKAD - 679 121. 5 M. HARINARAYANAN, AGED 52 YEARS S/O. M. KRISHNAN, SENIOR TECHNICIAN/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT MULLAKKAL HOUSE, CHATHANCHERYPARAMBIL, SHORNUR P. O., PALAKKAD - 679 121. 6 P. J. BABY, AGED 58 YEARS S/O. P.

I. JOHN, TECHNICIAN-I/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT POOPARAYIL HOUSE, THURUTHIKKARA, PAINGARAGAPPILLY, MULANTHURUTHY, ERNAKULAM - 682 314. 7 K. MATHEW, AGED 58 YEARS S/O. THOMMY KURIAN, TECHNICIAN-I/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT KAKKANATTU HOUSE, KATTACHIRA P. O., ETTUMANOOR, KOTTAYAM - 686 572. 8 K. S. SANTHOSH, AGED 43 YEARS S/O. SANKARAN, TECHNICIAN-I/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT KANAPPALLY HOUSE, EDADU, ELAPPALLY, MOOLAMATTOM, IDUKKI - 685 589. 9 K. MOHANAN, AGED 56 YEARS S/O. K. NARAYANAN NAIR, TECHNICIAN-III/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT NEETHU BHAVAN, KUTTOLANGADI, RAMANATTUKARA P. O., KOZHIKODE - 673 633. 10 P. P. SUNIL, AGED 49 YEARS S/O. P. K. PURUSHOTHAMAN, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT PUTHENVEETIL HOUSE, MURIKKUMVAYAL, KARINILAM P. O., MUNDAKKAYAM, KOTTAYAM - 686 513. 11 K. REGHU, AGED 58 YEARS S/O. GOVINDANKUTTY NAIR, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT GOKULAM NEAR K.S.E.B. SUB STATION, KALADY P. O., MALAPPURAM - 679 582. 12 A. CHANDRAN, AGED 57 YEARS S/O. APPU, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT ATHIKKUNI HOUSE, MEENANGADI, SULTHAN BATHERI, WAYANADU - 673 124. 13 K. J. JOHNY, AGED 58 YEARS S/O. OUSEPH, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT KAZHUNNUKANDATHIL HOUSE, MEVELLOOR P. O., KOTTAYAM - 686 609. 14 T. C. JOSEPH, AGED 58 YEARS S/O. T. C. CHACKO,

AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT THAIPARAMBIL HOUSE, PALLIKKAVALA, CHERANELLOOR P. O., ERNAKULAM - 682 034.

15 P. D. JOHN, AGED 62 YEARS, S/O. P. J. SEBASTIAN, TECHNICIAN -I/AC (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT PAIKKATTU HOUSE, IE NAGAR P. O., CHANGANASSERY, KOTTAYAM - 686 104. 16 V. K. RAVINDRAN, AGED 62 YEARS, S/O. KARAPPAN, AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI -

682 020, RESIDING AT VELLAMPARAMBIL HOUSE, PALAZHI, PUDUKKAD P. O., THRISSUR - 680 301. 17 K. K. KUMARAN, AGED 58 YEARS S/O. PAILY, SENIOR TECHNICIAN/AC, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT KOTTANKARIKKAL HOUSE, KRA-20, KUREEKAD P.O., ERNAKULAM - 682 305.

18 P. D. SHEFEEK, AGED 30 YEARS S/O. DASTHAKKEER, AC COACH ATTENDANT, OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHUVELI, RESIDING AT POTTIKUNDIL HOUSE, NO.2/7 GCDA, PALLIKKTTY ROAD, EDATHALA P. O., ALUVA - 683 561. 19 K. V. PHILIPOSE, AGED 60 YEARS S/O. OUSEPH VARKEY, AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT THEVALAKKATU PUTHENPURAYIL HOUSE, CHEMPU, KULASEKHARAMANGALAM P. O., VAIKOM, KOTTAYAM - 686 608. 20 T. J. MATHAI, AGED 62 YEARS S/O. JOSEPH, TECHNICIAN - I (RETIRED),

OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT THACHAMPURATHU HOUSE, THURUTHIKARA, PANGARAPPILLY P. O., MULANTHURUTHY - 682 314. 21 D. RAMACHANDRA PANICKER, AGED 61 YEARS S/O. DAMODARAN NAIR, AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT VRINDAVANAM HOUSE, MUHAMMA P. O., ALAPPUZHA - 688 525. 22 VARGHESE THOMAS, AGED 58 YEARS S/O. P. M. THOMAS, AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT PARAKULATHU HOUSE, CHELLAKKAD P. O., CHETHONKARA, RANNI - 689 677. 23 P. MOHANDAS, AGED 65 YEARS S/O. PADMANABHAN NAIR, TECHNICIAN -I (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT PARVATHY, PURAPADIYATHU, CONVENT ROAD, CHELAKKARA, THRISSUR - 680 586. 24 P. RAVINDRAN AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT SREEJA NIVAS, THRIPPALLOOR, PULLODE P. O., PALAKKAD - 678 545. 25 N. NARAYANAN, AGED 62 YEARS AC COACH ATTENDANT (RETIRED), OFFICE OF THE SENIOR SECTION ENGINEER/ELECTRICAL/ ERNAKULAM SOUTHERN RAILWAY, KOCHI - 682 020, RESIDING AT NAMMILIKARA HOUSE, PERUMANOOR P. O., CHALISSERY, PALAKKAD - 679 536. ADV. MARTIN G THOTTAN THIS OP (CAT) HAVING BEEN FINALLY HEARD ON 04.03.2025, ALONG WITH OP (CAT).296/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR TUESDAY, THE 4TH DAY OF MARCH 2025 / 13TH PHALGUNA, 1946 OP (CAT) NO. 103 OF 2020 AGAINST

THE ORDER DATED 03.01.2020 IN OA NO.23 OF 2019 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH PETITIONERS: 1 UNION OF INDIA, REPRESENTED BY THE GENERAL MANAGER, SOUTHERN RAILWAY,PARK TOWN P.O., CHENNAI-600 003 2 SENIOR DIVISIONAL ELECTRICAL ENGINEER, SOUTHERN RAILWAY ,TRIVANDRUM DIVISION, TRIVANDRUM-695 014 3 SENIOR DIVISIONAL PERSONNEL OFFICER, SOUTHERN RAILWAY ,TRIVANDRUM DIVISION, TRIVANDRUM-695 014 4 SENIOR SECTION ENGINEER (AC), TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM-695 014 BY ADV C.DINESH RESPONDENTS: 1 K.G.GOPI, S/O. GOVINDAN, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT ERATTUVILA VADAKKATHIL VEEDU, PERUMPUZHA P.O., KUNDARA, KOLLAM-691 504 2 SINUMON.P.J., AGED 37 YEARS S/O. JAYAPRAKASH.K., AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT PARAPPIL HOUSE, MANNANCHERRY P.O., ALAPPUZHA-688 538 3 K.B.SASIDHARAN NAIR, AGED 51 YEARS S/O. BALAKRISHNAN NAIR, AC COACH ATTENDANT,UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT MALAMEL KUNNATH HOUSE, CHANNANIKADU, CHOZHAKAD, KOTTAYAM-686 531 4 S.JAGADEESH BABU, AGED 57 YEARS S/O. P.SANKARA PILLAI, AC COACH ATTENDANT,UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT NELLIKKALA VEEDU, BHOOTHAKULAM P.O., KOLLAM-691 302 5 K.SREEDHARAN PILLAI, AGED 54 YEARS S/O.KOCHUNARAN PILLAI, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT SREEDEVI VILASAM, KARICODE, CHANDANATHOPE P.O., BHARATH NAGAR 42, KOLLAM-691 004 6 P.JYOTHIVEL, AGED 50 YEARS S/O. POONUSAMY, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT THANGAMMAPATTI,AYYALUR P.O., DINDIGAL, TAMIL NADU-624 801 7 T.REMESH KUMAR, AGED 50 YEARS S/O. THAKAPPAN, AC TECHNICIAN

GRADE-I, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT THOTTUMUGHAM, ISWARIYA NAGAR, MANGAD P.O., KOLLAM-691 015 8 S.S.RAJAN, AGED 53 YEARS S/O. N.SOMAN, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT KADAYIL VEEDU, KALLIYODE, PANAVOOR P.O., NEDUMANGAD, THIRUVANANTHAPURAM-695 568 9 S.ZAKIR HUSSAIN, AGED 50 YEARS S/O. M.SHAMSUDEEN, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT THARA MANZIL, THAZAMNOOTH, CHATHANOR, KOLLAM-691 572 0 N.AJIKUMAR, AGED 51 YEARS S/O. K.NATESAN, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT A.R.NIVAS, 62 KELI NAGAR, KILIKOLLOOR P.O., KOLLAM-691 004 11 S.MOHAN,, AGED 58 YEARS S/O. SAHADEVAN NADAR, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT KUZHIVILAI VEEDU, VETTUVENNI, MARTHANDAM P.O., KANYAKUMARI DISTRICT, TAMIL NADU-629125 12 G.K.UMAMAHESWARAN, AGED 57 YEARS S/O. G.KUTTAN PILLAI, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT KAMALAYAM, TC THIRUVANANTHAPURAM-695 012 13 E.BINU, AGED 44 YEARS S/O.EVABEEZARM, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT T.C.26/663, VANROSS JUNCTION, THIRUVANANTHAPURAM-695 001 14 R.SUBRAMANIYAN, AGED 50 YEARS S/O. S.RAMAI AH, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT PLOT NO.2, ALAMALU MANGAI NAGAR, SELVARAJ NAGAR ETN-5, URAPAKKAM, CHENNAI-603 210 15 S.SREEKANTAN NAIR, AGED 55 YEARS S/O. P.SUKUMARAN NAIR, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT SREERAGAM, NAMBU KONAM, ANACODE, PANNIYODU P.O., THIRUVANANTHAPURAM-695 575 16 ANIL KUMAR.A., AGED 48 YEARS S/O.

APPUKUTTAN NAIR, AC COACH ATTENDANT, UNDER SENIOR SECTION ENGINEER/AC/TRIVANDRUM CENTRAL, SOUTHERN RAILWAY, RESIDING AT PANAVIDA HOUSE, PIRAPPANCODE P.O., VENJARAMOOD, THIRUVANANTHAPURAM-695 607 ADV. MARTIN G THOTTAN THIS OP (CAT) HAVING BEEN FINALLY HEARD ON 04.03.2025, ALONG WITH OP (CAT).296/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR TUESDAY, THE 4TH DAY OF MARCH 2025 / 13TH PHALGUNA, 1946 OP (CAT) NO. 82 OF 2021 AGAINST THE ORDER DATED 03.03.2020 IN OA NO.130 OF 2019 OF CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH PETITIONERS/RESPONDENTS 1 TO 4: 1 UNION OF INDIA REPRESENTED BY THE GENERAL MANAGER, SOUTHERN RAILWAY, PARK TOWN, CHENNAI-600003.

2 THE SENIOR DIVISIONAL ELECTRICAL ENGINEER, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM-695014. 3 THE SENIOR DIVISIONAL PERSONNEL OFFICER, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, TRIVANDRUM-695014. 4 THE SENIOR SECTION ENGINEER (ELECTRICAL), SOUTHERN RAILWAY, KOCHUVELI-695025. BY ADVS. SRI.S.RADHAKRISHNAN, SENIOR PANEL, RAILWAYS KRISHNA T C, DSGI IN CHARGE RESPONDENTS/APPLICANTS: 1 JAIKRISHNAN NARAYAN, AGED 49 YEARS S/O.S.NARAYAN, SENIOR TECHNICIAN, AC, KOCHUVELI, CHANDRADHANUS PARANIYAM, POOVAR P.O., TRIVANDRUM-695525. 2 J.S.AJITH, AGED 40 YEARS S/O.JAYADEVAN NAIR, AC COACH ATTENDANT, KOCHUVELI, THANAL, MUTTAPALAM P.O., VARKALA, TRIVANDRUM 3 C.RAVEENDRAN, AGED 51 YEARS S/O.K.CHELLAPPAN, TECHNICIAN, AC, KOCHUVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT RAILWAY QUARTERS NO.80/A, ANWAR GARDENS, POJAPURA, TRIVANDRUM-695012. 4 K.K.OMANAKUTTAN PILLAI, AGED 56 YEARS

S/O.P.KUNJAN PILLAI, AC COACH ATTENDANT, KOCHIVELI, VAZHAPALLI THEKETHIL, VENGAI P.O., SASTHAN KOTTA, KOLLAM-680521. 5 R.S.MANOJ KUMAR, AGED 43 YEARS S/O.P.RAVEENDRAN NAIR, AC COACH, ATTENDANT, KOCHIVELI, AYYAMANGALAM, THIRUVALLAM P.O., TRIVANDRUM-695027. 6 JOSEPH MATHEW, AGED 41 YEARS S/O.P.M.MARTIN, AC COACH, ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT PULLUKATTU HOUSE, CHEERANCHIRA P.O., CHANGANACHERRY-686106. 7 S.VINAYAN, AGED 52 YEARS S/O.C.SADASIVAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT MOOLAYIL HOUSE, VILAYIKULAM, KAZHAKUTTAM P.O., TRIVANDRUM-695582. 8 P.R.SANTHOSH KUMAR, AGED 40 YEARS S/O.S.PARAMESWARAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT RADHA BHAVAN, PULIMOODU, VELLAIKADAVU, PULIYARAKONAM P.O., TRIVANDRUM-695573. 9 S.BAIJU, AGED 43 YEARS S/O.SUDHAKARAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT KODIYIL VEEDU, NEHRU JN, KAZHAKUTTAM, TRIVANDRUM-695582. 10 A.MOHAN, AGED 58 YEARS S/O.L.APPU, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT DOOR NO.20, M.C.KUPPAM, REDDYUR P.O., JOLARPETTAI, VELLORE DISTRICT, TAMIL NADU-635851. 11 SAKHILA MURMU, AGED 28 YEARS S/O.JASKAN KURMU, TECHNICIAN III, AC, KOCHIVELI, RAILWAY QUARTERS NO.129/C, RAIL GARDENS, THAMPANOR, TRIVANDRUM-695014. 12 K.P.MANOJ, AGED 38 YEARS S/O.P.KESAVAN NAIR, TECHNICIAN I, AC, KOCHIVELI, PRESTIGE AVENUE NO.II, KARIKKAKOM, TRIVANDRUM-695021. 13 S.SREEJITH, AGED 32 YEARS S/O.SASIDHARAN NAIR V, TECHNICIAN AC, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT DEVI NIVAS, T.C.36/299(7), HOUSE NO.13, MANAVA NAGAR, PETTAH P.O., TRIVANDRUM-695024. 14 P.MADHU, AGED 48 YEARS S/O.S.PRAKASHAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT M.S.BHAVAN, SREE BHADRA LANE, ANIYOOR, CHEMPAZHINTHI P.O., TRIVANDRUM-695587. 15 P.S.SASIDHRAN, AGED 51 YEARS

S/O.P.K.SANKARAN, TECHNICIAN II, AC, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT RAILWAY QUARTER NO.139/B, RAIL GARDENS, THAMPANOOR, TRIVANDRUM-695014. 16 P.R.PUSHPARAJ, AGED 58 YEARS S/O.RAMAKRISHNAN P.V, TECHNICIAN II, AC, KOCHIVELI, PULICKAL HOUSE, ARMBUR P.O., THRISSUR-680620. 17 R.RAMACHANDRAN NAIR, AGED 59 YEARS S/O.T.RAMAN MENON, TECHNICIAN I, AC, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT DEVI KRIPA, KANNIMEL, PATTAZHI P.O., KOTTARAKARA, KOLLAM-691522. 18 B.LALU, AGED 57 YEARS S/O.R.BHARGAVAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT TC 32/63/9, MAKAM NIWAS, KARIKKAKOM P.O., TRIVANDRUM-695542. 19 J.RADHAKRISHNAN UNNI, AGED 58 YEARS S/O.N.RAGHAVAN UNNI, AC COACH ATTENDANT, KOCHIVELI, THIRUVATHIRA, TC 18/976-15, KUNNAPUZHA, ARANMULA P.O., TRIVANDRUM-689538. 20 R.SAJEESH, AGED 41 YEARS S/O.RAGHAVAN, TECHNICIAN III, AC, TRIVANDRUM CENTRAL, PRANAVAM, NETAJIPURAM, SHANTHIGIRI P.O, POOTHOLE, TRIVANDRUM-695589. 21 R.RENJITH-II, AGED 31 YEARS S/O.RAVEENDRAN NAIR, AC COACH ATTENDANT, KOCHIVELI, KUTTIKALLUMPURATHU, VALIAPADAM, VILANTHARA P.O, SATHANKOTTA, KOLLAM-689696. 22 E.RAJENDRAN, AGED 54 YEARS S/O.ELIAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT NO.4/1253, KAMBER STREET, ANNA NAGAR, THIRUDRAVAR, CHENNAI-600040. 23 N.CHELLADURAI, AGED 58 YEARS S/O.U.NAINAR, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 689/B, GOLULAM, SANTHAMOOLA, MALAYINKIL P.O., TRIVANDRUM-695571. 24 G.PALANI, AGED 58 YEARS S/O.GOPAL, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT ULLI VILLAGE, PILLAYAR KOVIL STREET P.O., PERNAMBET TALUK, VELLORE DISTRICT, TAMIL NADU-628716. 25 ABRAHAM MATHEW, AGED 59 YEARS S/O.CHERIAN MATHEW, TECHNICIAN I, AC, KOCHIVELI, THEVARVALADY HOUSE, THURUTHY P.O., CHANGANACHERRY, KOTTAYAM-686535. 26 R.RAJESH, AGED 39 YEARS S/O.J.RAVEENDRAN, AC COACH ATTENDANT, KOCHIVELI,

R.S.BHAVAN, KANJIKKAL, VALATHUNGAL P.O., KOLLAM-691011. 27 K.ARUMUGA NAINAR, AGED 45 YEARS S/O.A.KANNAPIRAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT 179, MUTHULAKSHMI BHAVANAM, INDIRA NAGAR, KIRANAMANGALAM, SULTHAMALLI, THIRUNEVELI-627006. 28 G.SUNIL KUMAR, AGED 45 YEARS S/O.K.GOPINATHAN PILLAI, TECHNICIAN I, AC, KOCHIVELI, K.G.NIVAS, KARYAVATTOM P.O., TRIVANDRUM-695581. 29 N.ENILKUMAR, AGED 51 YEARS S/O.NARAYANAN.N, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT INDUJA BHAVAN, KUMMALLOOR P.O., ADICHANELLOR, KOLLAM-691573. 30 J.MOHAMMED AJIM MOHAIDEEN, AGED 49 YEARS S/O.K.M.JAMAL MOHAIDEEN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT TC TRIVANDRUM-695036. 31 A.GOPAKUMAR, AGED 59 YEARS S/O.APPUKUTTAN NAIR, SENIOR TECHNICIAN, AC, KOCHIVELI, KOCHUVEEDU, THEVALLY P.O., KOLLAM-691009. 32 V.SASIKUMAR, AGED 57 YEARS S/O.VELAYUDHAN, TECHNICIAN I, AC, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT SARANAALAYAM, KARUMOM P.O., TRIVANDRUM-695002. 33 K.SUGATHAN ACHARY, AGED 55 YEARS S/O.KUNJURAMAN ACHARY, TECHNICIAN I, AC, KOCHIVELI, ADAVIKUZHIYIL, KALLELY P.O., KONNI, PATHANAMTHITTA-689691. 34 T.C.SUKUMARAN, AGED 52 YEARS S/O.CHANDRAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT THAIPARAMBIL HOUSE, EDADU P.O., MOOLAMATTOM, IDUKKI-685589. 35 RATTI RAM MEENA, AGED 33 YEARS S/O.LAXMI NARAYAN MEENA, TECHNICIAN II, AC, KOCHIVELI, GHOSVARA VILLAGE, SALWARI P.O., ALWAR DISTRICT, RAJASTHAN-301035. 36 S.GOPAKUMAR, AGED 39 YEARS S/O.SIVAN NAIR, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT AMBADI HOUSE, PNRA-A/66, KIZHAKKUMBHAGOM, KAZHAKUTTAM P.O., TRIVANDRUM-695582. 37 S.RAJESH KUMAR, AGED 41 YEARS S/O.SIVASANKARAN NAIR, AC COACH ATTENDANT, KOCHIVELI, SIVASHYLAM, VV ROAD, PATTOOR, TRIVANDRUM-695035. 38 T.ASHOKAN,

AGED 44 YEARS S/O.ARUMUGHAM, TECHNICIAN, AC, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT AMRITA BHAVAN, KURIYOTTUMALA, PIRAVAMTHOOR, KOLLAM-689696. 39 V.CHENCHURATHNAM, AGED 41 YEARS S/O.V.CHENGALRAYULU, HELPER-II/AC, OFFICE OF SENIOR SECTION ENGINEER, ELECTRICAL, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT DOOR NO.2-2, KOVANNUR (ST COLONY), KOVANUR POST, K.V.B.PURAM (MANDAL), CHITTOOR DISTRICT-517643.

40 B.ANIL KUMAR, AGED 47 YEARS S/O.BALAN, AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT ARUN NIVAS, ALUMMOOD P.O., NADUVILAKKARA, KOLLAM-691577. 41 M.G.UMAMAHESWARAN, AGED 60 YEARS S/O.GANAPATHY DADER, RETIRED AC COACH ATTENDANT, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT MARUTHI BACK STREET, S.KODIYUR, JOLARPETTAI, TIRUPATTUR, VELLORE-635601.

42 S.THULASIDHARAN PILLAI, AGED 59 YEARS S/O.SANKARAN PILLA, HELPER-II, OFFICE OF SENIOR SECTION ENGINEER, ELECTRICAL, KOCHIVELI, SOUTHERN RAILWAY, TRIVANDRUM DIVISION, RESIDING AT NANDU BHAVAN, PARULTIYARA, ODANAVATTOM PO., KOTTARAKKARA, KOLLAM-691512. THIS OP (CAT) HAVING BEEN FINALLY HEARD ON 04.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

K. V. JAYAKUMAR, J This judgment shall dispose of six original cases. The short question involved in this batch of OP(CAT)s is that, whether AC Technicians/AC Coach Attendants are entitled to overtime allowance for the duties performed by them in excess of 96 hours in a fortnight?.

2. Facts necessary for disposal of these OP(CAT)s in brief

are enumerated hereunder: The respondents/applicants are AC Technicians/AC Coach Attendants of Southern Railway. The Tribunal was approached seeking a declaration that, they are entitled for overtime allowance for the duties performed by them in excess of 96 hours in a fortnight. The applicants are required to perform duty at 48 hours per week and 96 hours for two weeks. Over and above 96 hours of work, in a fortnight, the respondents/applicants are entitled for overtime allowance as provided under the Rules. However, in view of the Modified Roster issued by the 7th respondent/Senior Divisional Electrical Engineer, which was implemented only in Trivandrum division, the AC staff will have to work 48 hours per week and 96 hours in two weeks and instead of overtime allowance, they would get Compensatory Rest for extra works of duty performed, in excess of 96 hours of duty and for forgoing their statutory weekly rest in violation of hours of duty and period of rest rules.

3. Aggrieved by the aforementioned Modified Roster, the

AC Technicians/applicants submitted representations, but there was no positive response from the Southern Railway. Though the applicants have performed extra hours of duty, they were denied overtime allowance on the pretext that compensatory rest was granted to them.

4. A batch of similarly placed employees, aggrieved by the

aforesaid Modified Roster, approached the Madras Bench of the Central Administrative Tribunal and filed OA 1158/2012 and the same was allowed as per order dated 12.04.2013 (Annexure-A1). The petitioners/Southern Railway and its officers preferred writ petition before the Madras High Court and thereafter, SLP before the Apex Court challenging Annexure-A1 order, but the writ petition and SLP were dismissed.

5. The contention of the respondents/applicants was that, the issue of overtime allowance involved in these matters are no longer res integra in view of the dismissal of the OP(CAT) and the SLP.

6. The relevant paragraphs of Annexure-A1 order are extracted hereunder:

9. There is no dispute that the applicants are coming under the staff category classified as "Continuous" and they are entitled for Over Time Allowance as per Rule 10 of Railway Servants (Hours of Work and Period of Rest) Rules, 2005 and they have been granted OTA so far. It is only due to the Issue of modified roster which came into effect from 25.12.2011 and subsequently came into effect from 1.1.2012, there appears to be some change in payment of OTA and the applicants are granted extra hours of compensatory rest instead of OTA. In this regard it is relevant to peruse Rule 10 of Railway Servants (Hours of Work and Period of Rest) Rules, 2005, which reads as follows:-

Rule 10. Principle of averaging and payment of overtime allowance.

(1) Where a Railway servant is required to render extra

hours of duty beyond the rostered hours fixed in accordance with rule 8 or beyond the limits specified for different classes of Railway servant under Section 132, he shall be paid Overtime for such extra hours of work, subject to the principle of averaging as specified in sub rule(2).

(2) Averaging shall be done by averaging of the hours of

work over the averaging periods as specified in Section 132 which has been adopted to provide a reasonable measure of elasticity as essential in railway working for certain classes of Railway servants and it shall apply to-

(i) running staff

(ii) operation staff;

(iii) Shift workers; and

(iv) those other Railway servants whose work is connected with the work of any of the categories of railway servants mentioned in clauses(i), (ii) and (iii)....

(4) The hourly rate of overtime shall be worked out on the basis of rostered hours over the relevant averaging period....

Thus it is clear that the applicants are entitled for OTA beyond the rostered hours fixed in accordance with rule Rule 8(3)(b). The standard hour of duty for the category of "Continuous" in which the applicants are working is 48 hours per week and 96 hours bi weekly. This is a common and uniform rule adopted by the railways in various divisions of the Railways and there cannot be a separate modified roster by the southern Railway alone. The submission made by the respondents in the reply that the applicants have to render duty of 54 hours per week and 108 hours in two weeks time for being eligible for Over Time Allowance is not correct as the rostered hours fixed in accordance with rule 8 of HOER Rules, 2005 stipulates 48 hours in a week and 96 hours in a fortnight and where a railway servant is required to render extra hours of duty beyond this period is entitled for OTA subject to the principle of averaging as specified in sub rule(2) supra.

10. That apart, a careful perusal of communication

dated 23.12.2011 at Annexure A-6 page NO.28 of the OA reveals that for the better utilization of man power economically, the existing roster for AC accompanying staff has been Modified. This communication is issued from the Divisional Office Electrical Branch, Thiruvananthapuram Division where the applicants are working. A further perusal of the impugned order dated 4.6.2012 (Annexure A-1 al, page 9 of the OA reveals that in the case of AC Staff, no change of classification took place and only the link has been revised within the existing classification. Further, third paragraph of the communication dated 4.6.2012 reveals that there is no violation of the provisions noticed in the case of AC staff at NCJ. The respondents have not mentioned about the modified roster anywhere in the impugned order and only in the last paragraph of the communication, the respondents have denied compliance of modified

roster (emphasis added). Also the respondents cannot modify the roster for Thiruvananthapuram division alone without following the principles in HOER Rules, 2005.

11. Under the circumstances, I am of the opinion

that there is no necessity to interfere with the impugned order

dated 4.6.2012 as the respondents themselves agreed that they have not complied with the modified roster. Further the

respondents have to adopt uniform method to grant OTA for the employees of all Divisions without restricting it to a particular division which is violative of the guidelines in HOER Rules, 2005. Accordingly I hold that the applicants are entitled for over time allowance for excess hours of duty performed in excess of 96 hours + 8 P&C hours in a fortnight in terms of Rule 10 of Hour of Work and Period of Rest) Rules, 2005 and the respondents are further directed to pay OTA to the applicants for extra duty hours exceeding 96 hours for two weeks instead of giving CR for extra hours of duty. OA is allowed: No order as to cost.

In view of the order of the Central Administrative Tribunal, Madras Bench, which was confirmed by the Madras High Court and the Supreme Court, the issue involved in this OP(CAT)s is no longer res integra. In view of this matter, the present OP(CAT)s are liable to be dismissed. The OP(CAT)s are dismissed accordingly. Sd/- AMIT RAWAL JUDGE Sd/- K. V. JAYAKUMAR JUDGE Sbna/
APPENDIX OF OP (CAT) 40/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER DATED 4TH NOVEMBER 2019 IN O.A.NO.180/00988/2018 PASSED BY THE CENT5RAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. EXHIBIT P2 TRUE COPY OF THE O.A.NO.180/00988/2018 ON THE FILES OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. EXHIBIT P2 (A1) TRUE COPY OF THE ORDER DATED 12TH APRIL 2013 IN O.A.NO.1158 OF 2012 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, MADRAS BENCH. EXHIBIT P2(A2)

TRUE COPY OF THE ANNEXURE A2 OF THE OA (JUDGMENT IN WP NO.33228 OF 2013 DT.27/01/2014). EXHIBIT P2 (A3) TRUE COPY OF THE COMMON FINAL ORDER DATED 7TH APRIL 2017 IN O.A.NOS.180/885/2015, EXHIBIT P2(A4) TRUE COPY OF THE ORDER NO.V/P 483/P/ELE DATED EXHIBIT P2(A5) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST APPLICANT DATED 05/4/2018. EXHIBIT P2 (A6) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND APPLICANT DATED 18/10/18. EXHIBIT P2(A7) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 3RD APPLICANT DATED 07/06/18. EXHIBIT P2 (A8) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 4TH APPLICANT DATED 07/06/18. EXHIBIT P2(A9) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 5TH APPLICANT DATED 18/12/2017. EXHIBIT P2(A10) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 6TH APPLICANT DATED 27/07/18. EXHIBIT P2(A11) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 7TH APPLICANT DATED 05/04/18. EXHIBIT P2 (A12) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 8TH APPLICANT DATED 18/12/2017. EXHIBIT P2 (A13) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 9TH APPLICANT DATED 28/07/18. EXHIBIT P2 (A14) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 10TH APPLICANT DATED 30/07/18. EXHIBIT P2 (A15) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 11TH APPLICANT DATED 05/04/2018. EXHIBIT P2 (A16) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 12TH APPLICANT DATED 05/04/2018. EXHIBIT P2 (A17) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 13TH APPLICANT DATED 07/06/2018. EXHIBIT P2 (A18) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 14TH APPLICANT DATED 18/12/2017. EXHIBIT P2 (A19) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 15TH APPLICANT DATED 07/06/18. EXHIBIT P2(A20) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 16TH APPLICANT DATED 18/12/2017. EXHIBIT P2(A21) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 17TH APPLICANT DATED 03/08/18. EXHIBIT P2 (A22) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 18TH APPLICANT DATED 30/07/2018. EXHIBIT P2 (A23) TRUE COPY OF

THE REPRESENTATION SUBMITTED BY THE 19TH APPLICANT DATED 18/12/2017. EXHIBIT P2(A24) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 20TH APPLICANT DATED 18/12/2017. EXHIBIT P2 (A25) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 21ST APPLICANT DATED 18/12/2017. EXHIBIT P2 (A26) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 22ND APPLICANT DATED 23/01/18. EXHIBIT P2 (A27) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 23RD APPLICANT DATED 18/12/2017. EXHIBIT P2 (A28) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 24TH APPLICANT DATED 07/09/18. EXHIBIT P2 (A29) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 25TH APPLICANT DATED 18/12/2017. EXHIBIT P2 (A30) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 26TH APPLICANT DATED 05/04/2018. EXHIBIT P2 (A31) TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 27TH APPLICANT DATED 15/08/18. APPENDIX OF OP (CAT) 65/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER DATED 2ND DECEMBER 2019 IN OA NO.180/00942/2018 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. EXHIBIT P2 TRUE COPY OF THE OA NO.180/00942/2018 ON THE FILES OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. EXHIBIT P2 (A1) TRUE COPY OF THE ORDER DATED 12TH APRIL 2013 IN OA NO.1158 OF 2012 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, MADRAS BENCH. EXHIBIT P2 (A2) TRUE COPY OF THE LETTER BY WHICH THE DUE AND DRAWN STATEMENT SUBMITTED BY THE APPLICANT TO THE 2ND RESPONDENT. EXHIBIT P2 (A3) TRUE COPY OF THE LETTER NO.V/P OA 1158/2012/62 DATED 09.09.2014 ISSUED BY THE 2ND RESPONDENT. EXHIBIT P2 (A4) A TRUE COPY OF THE SUPPLEMENT NO.24/75 OF FORTNIGHTLY RAILWAY GAZETTE DATED 15TH DECEMBER, 1975. EXHIBIT P2 (A5) A TRUE COPY OF THE JUDGMENT DATED 22.01.1987 OF THE HON'BLE SUPREME COURT IN WPC NO.13748- 84 OF 1094. EXHIBIT P2 (A6) A TRUE COPY OF THE WORKSHEET ISSUED TO THE 6TH APPLICANT IN OA NO.885/2015. EXHIBIT P2 (A7) A TRUE COPY OF THE LETTER DATED 26.06.2019. APPENDIX OF OP (CAT) 87/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE

ORDER DATED 17TH JANUARY 2020 IN O.A.NO.180/00022/2019 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. EXHIBIT P2 TRUE COPY OF THE O.A.NO.180/00022/2019 ON THE FILES OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. EXHIBIT P2 - A1 TRUE COPY OF THE ORDER DATED 12TH APRIL 2013 IN O.A.NO.1158 OF 2012 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, MADRAS BENCH. EXHIBIT P3 TRUE COPY OF THE REPLY STATEMENT IN O.A.NO.180/00022/2019 ON THE FILES OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. APPENDIX OF OP (CAT) 103/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER DATED 3RD JANUARY 2020 IN O.A NO.180/0023/2019 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH ANNEXURE-A1 TRUE COPY OF THE ORDER DATED 12TH APRIL 2013 IN OA NO 158 OF 2012 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL MADRAS BENCH EXHIBIT P2 TRUE COPY OF THE OA NO.180/00023/2019 ON THE FILE OF THE CENTRAL ADMINISTRATIVE TRIBUNAL , ERNAKULAM BENCH EXHIBIT P3 TRUE COPY OF THE REPLY STATEMENT IN OA NO.180/00023/2019 ON THE FILES OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH APPENDIX OF OP (CAT) 296/2019 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE ORDER DATED 30TH JANUARY 2019 IN O.A. NO. 180/00951/2017 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. Exhibit P2 TRUE COPY OF THE ORDER O.A. NO. 180/00951/2017 ON THE FILES OF THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH. Exhibit P2(A1) TRUE COPY OF THE ORDER DATED 12TH APRIL 2013 IN O.A. NO. 1158 OF 2012 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, MADRAS BENCH. Exhibit P2(A2) TRUE COPY OF THE LETTER NO.V/P OA 1158/2012/62 DATED 09.09.2014 (ANNEXURE A2) PRODUCED ALONG WITH O.A. NO. 180/00951/2017. APPENDIX OF OP (CAT) 82/2021 PETITIONER EXHIBITS Exhibit P1 A TRUE COPY OF THE INTERIM ORDER DATED 03.03.2020 IN OA NO.130/2019. Annexure A1 A TRUE COPY OF THE JUDGMENT PASSED BY THE SUPREME COURT IN WRIT PETITION NO.13748/1984 DATED 22.01.1987. Annexure A2 A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE APPLICANT

DATED 22.05.2018. Exhibit P3 A TRUE COPY OF THE REPLY STATEMENT FILED BY THE RAILWAYS. Annexure R1 A TRUE COPY OF THE RAILWAY SERVANTS (HOURS OF WORK AND PERIOD OF REST) RULES 2005. Exhibit P4 A TRUE COPY OF THE REJOINDER FILED BY THE APPLICANTS. Annexure A3 A TRUE COPY OF PB CIRCULAR NO.148/75 DATED 15.12.1975.

Annexure A4 A TRUE COPY OF THE LETTER BEARING NO.V/PO

27.06.1985. Exhibit P6 A TRUE COPY OF LETTER NO.83/ELECT.1/138/8 DATED 25.10.1985 ISSUED BY THE RAILWAY BOARD. Exhibit P7 A TRUE COPY OF THE ORDER PASSED BY THE CAT, MADRAS BENCH DATED 12.04.2013 IN OA NO.1158/2012. Exhibit P8 A TRUE COPY OF THE JUDGMENT DATED 27.01.2021 IN WP(C) 33228/2013 OF THE MADRAS HIGH COURT. Exhibit P2 A TRUE COPY OF THE ORIGINAL APPLICATION FILED BY THE RESPONDENTS.

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