

MOST IMMEDIATE
COURT CASE

GOVERNMENT OF INDIA/भारत सरकार
MINISTRY OF RAILWAY/रेल मंत्रालय
(Railway Board)

No. PC-V/2019/CC/15/SCR

New Delhi, dated 21-11-2022

The General Manager (A/Cs)
South Central Railway,
Secunderabad

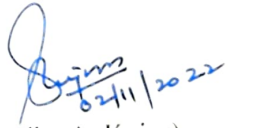
Sub: Implementation of Hon'ble CAT/Telangana's order dated 26-10-2018 in O.A No. 1116/2013 pursuant to dismissal of SLP/Review Petition regarding grant of financial upgradation under MACPS ignoring promotion from the post of Junior Accounts Assistant (JAA) to the post of Accounts Assistant (AA).

Ref:- South Central Railway's letter No. AAD/MACPS/PO5 dated 30-08-2022

Pursuant to dismissal of the SLP(C) 14196/2019 dated 30-3-2022 and Review Petition Dy. No. 17930/2022 vide order dated 17-08-2022 filed by UOI & Ors. Vs. P. Srinivasulu & Ors., the matter has been examined in consultation with Legal Directorate/Railway Board. In view of the facts and circumstances of the case, it has been decided to implement the order dated 26-10-2018 of the Hon'ble CAT/Telangana in respect of the petitioners only and that it may not be quoted as precedence.

Moreover, it is pertinent to mention here that the order dated 30-03-2022 of the Hon'ble Supreme Court of India is simplicitor dismissal and, therefore, in terms of Hon'ble Supreme Court's rulings in para 22 of Supreme Court Employees' Welfare Association Vs UOI, (1989) 4 SCC 187 cannot be treated as precedence under Article 141 of the Constitution.

In view of the above, it is advised that necessary action on above lines may please be taken immediately and Board's office be apprised of the action taken.


8/21/2022

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