

**MOST IMMEDIATE**  
**COURT CASE**

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

No. PC-V/2013/CC/14/SR

New Delhi, dated 02-11-2022

The General Manager (A/Cs)  
Southern Railway,  
Chennai.

Sub: Implementation of High Court/Madras's order dated 13-03-2017 in W.P No. 23257/2015 and 23258/2015 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:- Southern Rly's letter No.HQ/ACCT/118/2021/127380 dared 19-09-2022.

Pursuant to dismissal of the SLP(C) 383-384/2014 dated 30-3-2022 and Review Petition Dy. No. 18008/2022 vide order dated 28-07-2022 filed by UOI & Ors. Vs. S. Vijayalakshmi & 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 13-03-2017 of the Hon'ble High Court 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.

  
(Sudha A. Kujur)

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