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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 79 OF 1998
Cuttack this the 23rd day of February, 1999

PRONOUNCED IN THE OPEN COURT

Rankanidhi Samantray

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

1. Whether it be referred to reporters or not ? *Yes*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or nor ? *No*

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(G. NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
23.2.99

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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

**ORIGINAL APPLICATION NO.79 OF 1998
Cuttack this the 23rd day of February, 1999**

CORAM:

**THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBER(JUDICIAL)**

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Sri Rankanidhi Samantray,
aged about 42 years,
Son of Chanbdrasekhar Mohapatra,
at present residing in Qrs No.5, Type-II, Govt. of India
Text Book Press Colony, Bhubaneswar-7 and
working as Compounder (qualified Pharmacist)
in the GITB Press Dispensary,
Bhubaneswar-17, Dist: Khurda

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Applicant

By the Advocates : M/s.K.C.Kanungo
S.Behera

-Versus-

1. Union of India represented through
the Secretary, Ministry of Urban Development
Nirman Bhawan, C-Wing, New Delhi-11
2. Director of Printing, B.Wing,
Nirman Bhawan, New Delhi-11
3. Manager, Govt. of India Text Book Press,
Post: Mancheswar, Railway Colony,
Bhubaneswar-17, Dist: Khurda

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Respondents

By the Advocates : Mr.A.K.Bose,
Sr.Standing Counsel
(Central)

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ORDER

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MR. SOMNATH SOM, VICE-CHAIRMAN: In this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant, who is working as Compounder (qualified Pharmacist) in Government of India Text Book Press Dispensary, Bhubaneswar, has prayed for a declaration that he is entitled to get Patient Care Allowance at the rate of Rs.70/- with effect from 1.4.1987 which was revised later on to Rs.80/-. There is also prayer for direction to respondents for sanction and payment of revised patient care allowance pursuant to 5th Pay Commission report if the same is accepted by the Government during pendency of this Original Application.

2. For deciding the Original Application it is not necessary to go into the detailed facts of this case. The respondents, in their counter, copy of which has been served on the learned counsel for the petitioner, have opposed the prayer of the applicant, but have also stated that the applicant has filed a representation to Respondent No.4, who has forwarded the same to Directorate of Printing in January, 1998 and the matter is still pending consideration and in the meantime the applicant has approached the Tribunal prematurely. The respondents have further stated that there are 23 Govt. of India Presses spread all over the country and the claim of the applicant, if allowed, will have an effect on large number of employees in these presses. It is submitted by the respondents that the Directorate of Printing (Res.2) will examine the matter in detail and

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in para 8 of the counter

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take appropriate decision. On the above grounds the respondents have opposed the prayer of the applicant in this Original Application.

3. We have heard the learned counsel for the petitioner Shri K.C.Kanungo and Shri A.K.Bose, learned Senior Standing Counsel appearing on behalf of the respondents and have perused the records.

4. It is submitted by the learned counsel for the petitioner that as the prayer of the applicant is under consideration of the departmental authorities, a direction be issued to the departmental authorities to dispose of the representation filed by the applicant within a stipulated time. It is submitted by the learned Senior Standing Counsel that as ^{there} ~~this~~ is a policy decision involved in this case, it will take at least three months to take the decision and dispose of the representation filed by the applicant. In view of this Respondent No.2 is directed to dispose of the representation filed by the applicant within a period of three months from the date of receipt a copy of this order.

5. With the above direction the Original Application is disposed of, but without any order as to costs.

(G.NARASIMHAM)
MEMBER(JUDICIAL)

B.K.SAHOO

Somnath Som,
(SOMNATH SOM)
VICE-CHAIRMAN
2/2/99