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O.A. No. 543/05

ORDER DATED 14th JULY, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)
Hon'ble Mr. C.R. Mohapatra, Member (A)

This O.A is filed for a direction to be issued to the 3rd Respondent to pay the ex-gratia compensation to the applicant for the period from 13.01.1997 to 30.06.2004 and also for a direction to the appellate authority to dispose of Annexure-A/6 appeal.

2. Counter has already been filed in which the filing of the appeal itself has been denied. However, Annexures-A/8, 9, 10 and 11 would show that the appeal has already been filed.

3. We have heard Mr. P.K. Padhi, Ld. Counsel for the applicant and Mr. S. Mishra, Ld. Counsel on behalf of Mr. U.B. Mohapatra, Ld. Sr. Standing Counsel for the Respondents.

4. The short question now pressed before this Tribunal is for a direction to the 3rd Respondent to pass orders allowing the ex-gratia compensation to the applicant and the appellate authority also be directed to dispose of the appeal. On considering the facts and circumstances of the case, we direct 3rd Respondent to pay ex-gratia compensation, if any, due to the applicant. If it has not been paid hitherto it has to be paid



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within 30 days of communication of this order. The appellate authority is also directed to dispose of Annexure-A/3 at an early date, i.e. within 03 months from the date of receipt of the copy of this order. The contention that the appeal was not received by the appellate authority is not substantially proved. However, a copy of the appeal was received by the authorities.

5. In the above circumstances, this O.A. is allowed to the extent indicated above. No order as to costs.

Member (A) Shankar

L. Kappan
MEMBER (J)