

3

O.A.NO.567 OF 2006

ORDER DATED 07.08.06

Heard Mr.N.R.Routray,Ld.Counsel for the Applicant and Mr.S.K.Ojha,Ld.Standing Counsel for the Respondents/Railways and perused the materials placed on record.

2. The fact of the matter is that the Applicant was initially engaged as casual Khalasi under Bridge Inspector, SER/KUR. On 7.6.1999 he was regularized by Res.No.6. The Screening Committee which was conducted on 15.09.2003 for grant of financial upgradation under the ACP Scheme found the Applicant suitable for grant of 1st financial upgradation w.e.f. 1.4.2000. But the Res.No.2 vide order dt. 22.6.05 cancelled the order dated 8.10.2003 of Dy.CPO for granting 1st financial upgradation to the Applicant. Being aggrieved by that, the Applicant approached this Tribunal in earlier O.A.No.613/05. In the Counter, Respondents have disclosed that during pendency of the O.A., the representation of the Applicant has been considered by the CAO/Con and the matter has been reviewed. As a result of such review Respondents have decided to recall the order of cancellation and to restore back the earlier possession in respect of the applicant. In view of the counter, Tribunal disposed of the O.A.613/05.

3. On being informed so by Res.No.5, the applicant who retired on 30.06.06 reached the office of Res.No.7 to receive his pensionary benefits. But he did not get his pensionary benefit for which he submitted a representation to Deputy Chief Engineer(Con)(Res.No.5). It appears that the Applicant has approached several authorities to get his pensionary matter settled.

4. Mr.S.K.Ojha,Ld.Standing Counsel for the Railways submits that the departmental remedial measures have not been exhausted. While accepting his contention, I hereby direct to Res.No.2,5 & 7 to disburse his pensionary benefits as due and admissible under the rules within three months.

R

4

5. Accordingly, this O.A. is disposed of with no order as to costs.

6. Notices to Res.No.2,5 & 7 should be sent by speed post, the cost of which be borne by the Applicant, *within two days.*
R

B.B.T. n 2
MEMBER (ADMN.)

