

Order dated 12-09-2006.

Nonpayment of arrear differential salary to the Applicants in view of up gradation of their scales of pay under ACP scheme retrospectively was the subject matter of consideration before the Authorities of the Railways since 12-09-2005 under Annexure-A/2 series. As nothing was intimated to the Applicants they have approached this Tribunal in the present Original Application filed under section 19 of the Administrative Tribunals Act, 1985.

Heard Mr. N.R.Routray, learned counsel appearing for the Applicant and Mr. S.K.Ojha, learned Standing Counsel for the Railways; on whom a copy of this Original Application has been served.

Non-consideration of the representation made by an employee had been deprecated by various courts time and again. The Hon'ble Supreme Court of India in the case of S.S.RATHORE vrs. STATE OF

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MADHYA PRADESH – AIR 1990 SC 10 while deprecating such action of the Authorities have held as under:-

“.....Redressal of grievances in the hands of the departmental authorities takes an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. **That would discipline the system and keep the public servant away from a protracted period of litigation.”**

(emphasis supplied)

In this view of the matter, this Original Application is disposed of with direction to the Respondents to consider and dispose of the representation of the Applicants under Annexure-A/2 series within a period of 30 days from the date of receipt of a copy of this order and communicate the result thereof to the Applicants.

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Send copies of this order to the Respondents

along with copies of this OA by Speed Post at the cost of
the Applicant. Ld. Counsel for the Applicant undertakes
to pay the cost of the Speed Post in course of the day.

Free copies of this order be given to learned counsel
appearing for both sides.

P.B.J.
MEMBER(ADMN.)