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O.A.No.760/06

ORDER DATED: 09.11.2006

Order off. 9-11-06

Copy of Order  
with notice copy of  
O.A. may be sent to  
all respondents and  
Copy of order be given  
to both counsels.

AB  
24.11.06

W. 24/11/06  
S. O. L. D.

Heard Mr. N.R.Routray, Ld. Counsel for the Applicant and Mr. S.K.Ojha, Ld. Standing Counsel for the Railways; on whom a copy of this O.A. has already been served.

The grievance of the Applicant is that he is working as Sr. Keyman but getting the lower scale of pay. He has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 with a prayer to direct the Respondents to refix his scale of pay from 01.01.1987 and to pay the differential arrear salary.

Since the Applicant has approached this Tribunal without exhausting the departmental remedies, this O.A. is disposed of keeping the question of limitation open with order that **without prejudice to the claim of the rival parties**, the Respondent No.3 should look into the grievance of the Applicant as raised in the O.A. and decide **on the merit** of the case within a period of three months from the date of receipt of this order.

Send copies of this order, along with copies of the O.A., to the Respondents and free copies of this order be given to the Ld. Counsels for both the parties.

13/11/06  
MEMBER (ADMN.)

1. M.A. 195/07 for  
execution of order  
off. 9-11-06. Copy  
served.

2. M.A. 236/07 for time  
to file compliance  
report. Copy not  
served.

AB for order Beera