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O.A. No. 169 of 2007

Order dated: 04.05.2009

CORAM:

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

We have heard Mr. N.R.Routray, Ld. Counsel for the applicant and Mr. P.C.Panda, Ld. Counsel for the Respondents.

2. The applicant approached this Tribunal with the following prayers:-

“a) to quash the impugned order of reversion dt. 13.11.2001 and 30.11.2001 under Anexures-A/2 and A/3 respectively.

b) to direct the Respondents to restore the applicant in the post of Caretaker Gr.II w.e.f. 1.12.2001.

c) to direct the Respondents to pay the differential arrear salary by refixing the pay meant for the post of Caretaker Gr.II.”

3. A counter affidavit has also been filed in this case for and on behalf of the Respondents.

4. When this case came up for hearing today, the Ld. Counsel for the applicant submitted that the entire question has been covered by an order of this Tribunal passed in O.A. No. 299/07, which was further followed by

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this Tribunal in its order in O.A.No. 245/07. The facts are not disputed before this Tribunal.

5. In the above circumstances, the O.A. stands allowed and Annexure-A/3, the order impugned stands quashed. We further make it clear that though the applicant is not entitled for any back wages, he would be entitled to notional fixation of pay in the Grade of Caretaker, Gr.II till this date and thereafter, <sup>he</sup> ~~we~~ would be entitled for actual pay in the post in question. Accordingly, the Respondents are hereby directed to pass appropriate orders in the above line.

~~Ordered accordingly. O.A. stand disposed of~~  
~~accordingly~~

6. No order for costs.

MEMBER (A)

MEMBER (J)

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