

7

O.A. No.468/2007

ORDER DATED 8th JANUARY, 2010

Coram:

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


This Original Application has been filed by the applicant with the following prayer:-

- “(a) To direct the Respondents to upgrade the scale of the applicant at Rs.2650-4000/- instead of Rs.2610-3540/- as per order dated 28.03.2005.
(b) To direct the Respondents to grant 2nd financial upgradation w.e.f. 15.02.2007.
(c) And pay the differential arrear salary for the retrospective period of upgradation as per order dated 28.03.2005 with 12% interest.”

That apart the applicant has already filed a representation dated 05.01.2007 (Annexure-A/6) to the Dy. Chief Eng. (II)/Con. East Coast Railway, Jajpur Keonjhar Road i.e. Respondent No.5.

2. We heard Sh. N.R. Routray, Ld. Counsel for the applicant and Sh. B.B. Patnaik, Ld. Counsel for the Respondents and perused the materials placed on record.

3. By filing a Memo dated 23.07.2009 Sh. Routray, Ld. Counsel for the applicant submits that the question raised in the present O.A. is no more res integra in view of decision taken by this Tribunal vide order dated 24.09.2008 in O.A. No.467/2007. Hence, we feel that the present O.A. can



8

be disposed of by directing Respondent No.5 to consider the applicant's representation dated 05.01.2007 (Annexure-A/6) and pass appropriate order thereon, keeping in mind the observations made by this Tribunal in the order dated 24.09.2008 in O.A. No.467/2007. Ordered accordingly.

4. The above exercise shall be completed within a reasonable time, at any rate within a period of 60 (sixty) days from the date of receipt of a copy of this order.

5. In the result, this O.A is disposed of. No order as to costs.


Member(A)


MEMBER (J)

K.B.