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O.A. No. 216 of 2008

Order dated: 29.05.2008

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. N.R.Routray, Ld. Counsel appearing for the applicant. A copy of this O.A. has already been served on Mr. S.K.Ojha, Ld. Standing Counsel for the Railways.

The applicant, in the present O.A., has sought the benefits accruing from the Hon'ble High Court of Orissa's orders in OJC Nos. 5477 and 5459 of 2002. Mr. Routray further submits that the applicant has already submitted a representation to Respondent No. 5 on 17.07.2007 vide Annexure-A/6. There has been no response from the concerned authority on this representation. He further brings to notice the decision of this Tribunal where these benefits were allowed to the similarly placed persons vide order dated 17.04.2008 in O.A.No. 220 and 247 of 2007. Since the representation is pending and the applicant has given various grounds for making the order of the Hon'ble High Court applicable to his case, this Tribunal does not consider any interference at this stage. The Respondent No. 5 is directed to consider the representation and issue a reasoned order on the claim of the applicant within a period of three months from the date of receipt of a copy of this order.

With the above observation, the O.A. is disposed of.

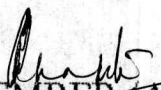


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Having heard Ld. Counsel for both the parties, the M.A. 325/08 filed by the applicant for condonation of delay is allowed.

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 appearing for both the parties.

No order as to costs.


~~MEMBER (A)~~