

O.A. No. 473/08

ORDER DATED 28th NOVEMBER, 2008

Coram:

Hon'ble Shri A.K. Gaur, Member (J)

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

Heard Mr. D.K. Mohanty, Ld. Counsel for the applicant and Mr. U.B. Mohapatra, Ld. Sr. Central Govt. Standing Counsel. . .

2. This Original Application has been filed by the applicant challenging the inaction of the Respondents for consideration of ACP to him counting his service from the date of initial appointment.

3. Mr. Mohanty, Ld. Counsel submitted that for non-consideration of ACP to him counting his service from the date of initial appointment the applicant has already preferred representation dt. 20.03.07 (Annexure-A/5) at page 16 of the O.A. The Ld. Counsel for the applicant further submitted that direction be issued to the competent authority/Respondents to consider the grievance of the applicant as set out in Annexure-A/5 to the Original Application, and pass a reasoned and speaking order within a stipulated time. Ld. Counsel for the applicant further submitted that while disposing of the said representation, this Original Application may be treated as part of the representation.

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4. Mr. U.B. Mohapatra, Ld. Sr. Central Govt. Standing Counsel objected to the prayer claimed by Mr. D.K. Mohanty, Ld. Counsel for the applicant and submitted that this order be passed in the light of the Judgement delivered in O.A No.949/05.

5. Having heard the Ld. Counsel for the parties and having carefully perused the records, we direct the competent authority/Respondents to consider the grievance of the applicant as set out in the representation dt.20.03.07 (Annexure-A/5) at page 16 to the Original Application, and pass a reasoned and speaking order within 03 months from the date of receipt of the copy this order. While disposing of the said representation, this Original Application may be treated as part of the representation.

6. With the above observation and direction, this Original Application is disposed of at the admission stage itself. No costs.


(C.R. MOHAPATRA)
ADMINISTRATIVE MEMBER


(A.K. GAUR)
JUDICIAL MEMBER