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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

OA No. 91 of 2008  
Nehru Konar ..... Applicant  
Vs  
Union of India & Others. ..... Respondents  
.....

Order dated: 16<sup>th</sup> September, 2011.

CORAM  
THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)  
AND  
THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDL.)  
.....

Heard. Perused the materials placed on record. In this OA prayer of the applicant is to direct the Respondents to modify the Office Order No. (Elect.)/22/2007 dated 08.05.2007 (Annx.A/12) so far as Applicant is concerned and to revise the posting of the Applicant as Junior Engineer (Elect.)-II in scale of Rs.5000-8000/- from the date his junior was promoted. By filing counter, Respondents contest the case of the Applicant. However, relying on the order dated 25.02.2004 filed by the Respondents, Applicant's counsel contends that by the above order dated 25.02.2004 five posts of Supervisor carrying the scale of pay of Rs.4500-7000/- were upgraded to JE-II (Rs.5000-8000/-). As such the Applicant ought to have been shown as JE-II with effect from the date when it was upgraded or from the date when he was

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promoted to the post of Supervisor. We find that the applicant has raised this point for the first time in course of hearing. In view of the above, as agreed to by Learned Counsel for both sides without going to the other aspects of the matter and without expressing any opinion on the merit of the OA, this OA is disposed of by granting liberty to the applicant to make representation to the competent authority claiming his promotion to JE-II on the strength of the order dated 25.2.2004 retrospectively within a period of fifteen days and the said authority is hereby directed to consider and dispose of the representation of the Applicant within a period of thirty days there from and communicate the result thereof to the Applicant in a well reasoned order. After disposal of his representation if he has still any grievance he is at liberty to take further course of action in accordance with Rules/Law. No costs.

*Alletz*  
(A.K.PATNAIK)  
Member (Judl.)

*Chaubey*  
(C.R.MOHAPATRA)  
Member (Admn.)