

ORDER DATED 29<sup>th</sup> SEPT., 2010

Abdul Hakim ..... Applicant  
Vrs.  
Union of India & Others ..... Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER(A)

Heard Sri N.R. Routray, Ld. Counsel for the applicant and Sri S.K. Ojha, Ld. Standing Counsel appearing on notice for the Railways on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The applicant while working as a PCR Trolley man in the Construction Organization of East Coast Railway was given financial up-gradation to the scale of pay of Rs.2650-4000/- w.e.f. 01.10.1999 by an order dated 19.03.2007 (Annexure-A/2). He retired from service on 31.10.2009. After the issuance of the order dated 19.03.2007 (Annexure-A/2) till his retirement on 31.10.2009 the arrears on account of financial upgradation under the ACP Scheme was not released to him. In spite of his personal approach to the authorities no fruitful result was achieved. Hence he had submitted a representation on 16.03.2009 (Annexure-A/3) for redressal of his grievances. Finding no favorable response from the concerned authorities of the Railways so far, the applicant has approached this Tribunal by filing the present Original Application under Section 19 of the Administrative Tribunal's Act, 1985. Sri Routray, Ld. Counsel for the applicant submits that till date no arrears of salary has been paid. At this stage without going into the merit of the case and as agreed to by the Ld. Counsel for the parties the ends of justice

should be met if the Respondents No.2 & 4 are directed to consider the pending representation at Annexure-A/3 and release the arrears of salary in pursuance to the order dated 19.03.2007 at Annexure-A/2 as admissible under the Rules within a period of three months from the date of receipt of the copy of this order. Ordered accordingly.

3. With the above observation and direction, this O.A. is disposed of at the admission stage itself. No costs.

4. Send copies of this order to the Respondents (together with the copy of this O.A) and also copy of this order may be supplied to the Ld. Counsel appearing for the parties.

  
MEMBER(A)