

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A.No.573 of 2010

O.P.Patra Applicant

Union of India & Others Respondents

Versus

1. Order dated: 06.10.2010.

CORAM:

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

It is the case of the Applicant that seeking consideration of his posting as Sr. Commercial Clerk in scale of Rs.4000-6000/-, fixation of his seniority in the grade w.e.f. 13.3.2002 and grant of consequential benefits as per rules, he submitted representation under Annexure-A/6 dated 15-06-2009 before the Divisional Railway Manager, ECoRly, Khurda Road/Respondent No.2 but till date no consideration has been given on the said representation. Hence he has approached this Tribunal in the present OA filed U/s.19 of the A.T. Act, 1985, seeking the following reliefs:

"To direct the Respondents to grant service benefits i.e. seniority ~~in~~ scale of Rs.4000-6000/-from 13.02.2002, his date of appointment as Asst. Loco Pilot and grant consequential benefits."

Copy of this OA has already been served on Mr. S.K.Ojha, Learned Standing Counsel for the Railways.

2. Heard the rival submission of the parties and perused the materials placed on record. Mr. Ojha, Learned Standing Counsel for the Respondents submits that as no order has been passed on the representation submitted by the applicant under Annexure-A/6 this Original Application is liable to be dismissed being premature. Learned Counsel for the Applicant submits that if no order is passed on a representation after expiry of six months cause of action arises for

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approaching before this Tribunal. Hence he approached this Tribunal in the present OA. Be that as it may, without going into such controversy of the matter, as agreed to by Learned Counsel for both sides, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage with direction to the Respondent No.2 to dispose of the representation preferred by the applicant under Annexure-A/6 and communicate the result thereof, in a well reasoned order to the Applicant, within a period of ninety days from the date of receipt of copy of this order.

3. Send copies of this order along with OA to the Respondent No.2 and free copies of this order be made available to Learned Counsel for both sides.



Member (Admn.)