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O.A. No. 648 of 2010

P.S.Mohanty.....Applicant
Vs
NALCO.....Respondents

Order dated: 22.12.2010

CORAM:

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

Heard Sri J.K.Khuntia, Ld. Counsel for the applicant and Sri B.N.Rath, Ld. Counsel appearing for the NALCO and also perused the materials placed on record.

2. The applicant, after an enquiry, has been imposed with a penalty for stoppage of one increment with cumulative effect. Ld. Counsel for the applicant submits that though he has preferred an appeal vide Annexure-A/4 on 03.10.2004 before the Director (P&A), NALCO, Bhubaneswar (Respondent No.2), the same is still pending.

3. The limited prayer of the applicant in this Original Application is to direct the Respondent No.2 to dispose of the appeal dated 03.10.2004.

4. Mr. Rath, Ld. Counsel for the NALCO submits that Respondent No.2 is not the appropriate authority to consider the appeal of the applicant.

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5. Having heard and as agreed to by the Ld. Counsel for the parties, without going into the merits of the case, we direct the applicant to file a fresh appeal before the appropriate authority within two weeks from today. And if such an appeal is filed before the appropriate authority, the authority is directed to consider the appeal and pass a reasoned order within two months thereafter.

6. With the above observation and direction, the O.A. is disposed of.

7. Send copy of this order to the Respondents and free copies of this order be given to the Ld. Counsel for the parties.


MEMBER (J)


MEMBER (A)

R.K