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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

OA No.731 of 2010
Cuttack, this the 25th November, 2010

T.Sivadasan Applicant
Versus
Union of India & Others Respondents

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THE HON'BLE MR. C.R. MOHAPATRA, ADMN. MEMBER

This is an incomplete application filed by the Applicant without disclosing the age of the Applicant. Hope Learned Counsel for the Applicant will be diligent enough while filing application at least in complete form.

Be that as it may, the Applicant is a Technician Gr.II working in the office of the Deputy Chief Engineer, Construction, E.Co.Rialway, JJKR. He challenges the action of the Respondents in not granting him 2nd financial up-gradation under MACP Scheme w.e.f. 01-09-2008 which according to him he is entitled to under the scheme despite making representation under Annexure-A/4 dated 07-12-2009. Hence by filing the present OA he seeks direction to the Respondents to grant him 2nd financial up-gradation under MACP scheme w.e.f. 01-09-2008 and for

(Signature)

payment of consequential financial benefits. Copy of the OA has already been served on Mr.S.K.Ojha, Learned Standing Counsel for the Railways, appearing on notice for the Respondents.

It is the positive case of the Applicant that no reply has yet been communicated to him by the Respondents on his representation dated 07-12-2009 (Annexure-A/4). Hence, it was submitted by Learned Counsel for the Applicant that he will be satisfied if direction is issued to the Respondents to consider the said representation (Annexure-A/4) and communicate the decision in a well reasoned order to him within a stipulated period. Mr.Ojha, Learned Standing Counsel for the Respondents submitted that he has no instruction whether any decision has been taken on the representation meanwhile. However, no serious objection was raised by him in regard to disposing of this OA with direction to the Respondents 2&3 to take a view on the Annexure-A/4 if not already taken by now. In view of the above, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage with direction to the

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Respondents 2 & 3 to take a view on the pending representation of the applicant under Annexure-A/4 within a period of 60(sixty) days from the date of receipt of copy of this order and communicate the decision in a well reasoned order to the Applicant.

Send copies of this order along with OA to the Respondents 2 & 3 at the cost of the Applicant for which Learned Counsel for the Applicant undertakes to furnish postal requisite by 26th instant after which free copies of this order be given to Learned Counsel for both sides.


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