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O.A. No. 799/10

ORDER DATED 14th DECEMBER, 2010

N.P. Dhar Applicant
Vrs.

Union of India & Others Respondents

Coram:

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

Heard Sri A.K. Mohapatra, Ld. Counsel appearing for the applicant and Sri S.B. Jena, Ld. Addl. Standing Counsel appearing on notice for the Respondents, on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. This Original Application has been filed by the applicant with the following prayer:-

“(i) The Respondents be directed to fix the salary to the applicant as per C.C.S. (Revised Pay) Rules, 2008, pay the differential salary and other financial benefits from 01.01.2006 to 30.11.2008 as per the recommendation of Sixth Pay Commission i.e. C.C.S. (Revised Pay) Rules 2008, within a stipulated period.

(ii) The Respondents be further directed to recalculate the pension and fix the same, as per 6th Pay Commission and pay the differential arrear pension and other pensionary benefits as per the said C.C.S.(Revised Pay) Rules, 2008 from 01.12.2008 till realization of the said within a stipulated period.”

3. From the facts as adduced, it reveals that the applicant, while working as Sub-Postmaster, Medical Campus, Burla retired on superannuation w.e.f. 30.11.2008. His grievance is that though during the course of his service the recommendation of Sixth Central Pay Commission came to be implemented w.e.f. 01.01.2006 based on which he

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is entitled to revised scale of pay w.e.f. 01.01.2006 along with pensionary benefits in increased rate, yet the same having not been extended to him, by the Respondent-Department., the applicant has preferred a representation dated 14.05.2010 vide Annexue-A/2 before the Superintendent of Post Offices, Sambalpur Division (Respondent No.3) and having received no response on his representation, this O.A. has been filed with the prayers referred to above.

4. I have considered the submissions made by the Ld. Counsel for the parties. In the fitness of things, it would be profitable if a direction is issued to Superintendent of Post Offices, Sambalpur Division (Respondent No.3) to consider and dispose of the pending representation of the applicant at Annxure-A/2 dated 14.05.2010 within a stipulated period.

5. Accordingly, Superintendent of Post Offices, Sambalpur Division (Respondent No.3) is directed to consider and dispose of the applicant's representation vide Annxure-A/2 dated 14.05.2010 by passing a reasoned and speaking order, as admissible under law, within a period of sixty days from the date of receipt of this order under intimation to the applicant.

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

7. Send a copy of this order along with copy of the O.A. to Respondent No.3 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


JUDICIAL MEMBER