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O.A. No. 16 of 2011

Bichitranaanda Jena & Ors..... Applicants
Vs.
Union of India & Ors..... Respondents

Order dated: 24.01.2011

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admn.)
&
Hon'ble Shri A.K.Patnaik, Member (Judl.)

Heard Sri K.C.Kanungo, Ld. Counsel for the applicants and Sri S.Mishra, Ld. Addl. Standing Counsel appearing on notice for the Respondents, on whom a copy of this O.A. has already been served.

2. M.A. 38/11, filed for joint prosecution of this case, is allowed.

3. Mr. Kanungo, Ld. Counsel for the applicants submits that applicant No.1 has already filed representations vide Annexure-A/4 and A/5, which have not been responded to so far. He also submits that the case of this applicant and the other three applicants is almost identical as it is a question of implementation of the policy of the Government, which was issued by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) dated

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19.05.2009 (Annexure-A/3) consequent to the acceptance of the 6th Pay Commission's recommendation. He further submits that the case being identical, the other three applicants shall submit separate representations within 15 days before Respondent Nos. 1 and 2 as the present O.A. contains only the representations of applicant No.1. However, the decision taken in the case of applicant No.1 will also have its bearing on the other three applicants.

4. Accordingly, without going into the merit of the case and as agreed to by the Ld. Counsel for the parties, Respondent Nos.1 and 2 are directed to consider the pending representations of applicant No.1 as at Annexure-A/4 and A/5 in terms of the Government Policy letter at Annexure-A/3 and pass a reasoned order within a period of three months from the date of receipt of a copy of this order. Respondent Nos. 1 and 2 shall also consider the representations of the other three applicants, if representations are filed by them within 15 days, within a period of three months from the date of receipt of separate representations from applicant Nos. 2 to 4.

5. With the above observation and direction, the O.A. stands disposed of at the stage of admission itself.

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6. Send copy of this order, along with copy of the O.A., to Respondent Nos. 1 and 2 at the cost of the applicants. Ld. Counsel for the applicants undertakes to deposit the postal requisites by tomorrow.

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MEMBER (J)

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MEMBER (A)

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Order dt. 09.05.2011

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Hon'ble Mr. A.K. Patwardhan, Member (S)

Heard Sri K.C. Kanungo, Ld. Counsel for the applicant and Sri S. Mishra, Ld. ASC for the Respondents, on M.A. 403/11 for leave to implement the order.

By taking M.A. 403/11 Sri S. Mishra, Ld. A.S.C. pays two months time to implement the order. Accordingly 45 days time is allowed to implement the order.

M.A. 403/11 is disposed of accordingly.

Wll
Member (J)