

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No. 87 of 2011

Narayan Prasad Rout Applicant

Versus

Union of India & Ors Respondents

1. Order dated: 25th April, 2011.

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

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THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)

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The Applicant is a retired Postmaster. By filing this OA on 23rd February, 2011 he has raised the grievance that the Respondents, after his retirement, vide order dated 04.09.1995 in Annexure-A/4 granted him benefits but not to the extent he was entitled to and as were granted to his juniors. His grievance is that though he agitated the same through various representations, he has not heard anything till the filing this OA. Hence in this OA he has sought direction to the Respondents to promote him to HSG I cadre with effect from 31-08-1990 retrospectively when his juniors were promoted with further direction to grant the applicant all his consequential financial benefits including revision of pay, pension and all pensionary benefits. By filing MA No. 173 of 2011, he has sought to condone the delay in filing this OA on 23rd February, 2011. Upon considering the rival submissions of the parties, in


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order dated 24-02-2011 notices were directed to be issued to the Respondents both on the OA as also on MA No.173 of 2011 allowing the Respondents opportunity to file their reply/counter.


2. Despite passage of time no counter/show cause was filed by the Respondents till date. Learned Counsel for the Applicant submitted that he has submitted representations seeking the relief claimed in this OA in Annexures-A/5 series but no reply was given to the Applicant and on the other hand, despite opportunity till date no counter was filed by the Respondents.

3. We have considered the rival submission of the parties and perused the materials placed on record. An employee has a right to know the decision on his/her grievance made through representation that too without much delay. It is the case of the applicant that he has submitted representations and as no reply was communicated to him, he has approached this Tribunal in the present OA filed on 23rd February, 2011. In the circumstances, we feel that since representations of the applicant are still pending with the authority, there is no use to keep this matter pending. Hence, as agreed to by Learned Counsel for both sides, without expressing any opinion on the merit of the matter as also on the point of limitation, this OA is disposed of at this admission stage

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with direction to the Respondent No.2, (to whom such representations are addressed and are stated to be pending) to consider the representations and communicate the result thereof (in a reasoned order), to the applicant within a period of two months from the date of receipt of copy of this order. Accordingly, notices issued to the Respondents, by the Registry on 28-02-2011, in compliance of the order of this Tribunal dated 24-02-2011 are recalled. No costs.


(A.K.PATNAIK)
Member (Judl.)


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