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O.A. No. 95 of 2011

Ashok Ku. Dikshit.....Applicant

VS

Union of India & Ors.....Respondents

Order dated: 05.09.2011

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admn.)

&

Hon'ble Shri A.K.Patnaik, Member (Judl.)

Heard Ms. R. Bahal, Ld. Counsel for the applicant and Mr. D.K.Behera, Ld. Additional Standing Counsel appearing for the Respondents.

2. The case of the applicant is that he is entitled to 1/30th of pay as per the DoPT Circular F. No. 49014/2/86.Estt(C) dated 07.06.1988, which has been filed under Annexure-1 to this O.A. The further contention of the applicant is that in similar cases, this Tribunal vide order dated 14.09.2009 in O.A. 332/09 has already dealt with this matter and had given appropriate directions to the Respondents. In this background, Ld. Counsel for the applicant submits that since the applicant has still not made any representation citing DoPT circular as well as orders of this Tribunal, she ~~s~~eeks liberty to file a comprehensive representation before the Respondent No.3 within a period of one week and she further prays that if this representation

is made a direction may be issued to Respondent No.3 to consider the same and pass a reasoned order within a specific time frame.

3. Mr. D.K.Behera, Ld. Additional Standing Counsel for the Respondents has no objection to the applicant making such representation.

4. Accordingly, without wasting any further time and without going into the merits of the case, as agreed to by the ld. Counsel for the parties, Respondent No.3 is directed to consider the representation if the same is received from the applicant within a period of one week and pass an appropriate and reasoned order keeping in view the orders of this Tribunal referred to above as well as the DoPT Circular of 1988 within a period of 45 days from the date of receipt of a copy of this order.

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

6. Send copy of this order, along with copy of the O.A. to Respondent No.3 for compliance.


MEMBER(Judl.)


MEMBER(Admn.)