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O.A. No. 121/2011

ORDER DATED 16th MARCH, 2011

D. Srinivas Rao & Others Applicant
V/s.

Union of India & Others Respondents

Coram:

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

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

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Heard Sri B.K. Biswal, Ld. Counsel for the applicant and Sri S. Barik, Ld. Counsel appearing on notice for the NVS on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. Sri Biswal, Ld. Counsel for the applicant submitted that though he has filed M.A.113/11 for permission to prosecute this case jointly he would like to restrict the prayer as far as applicant No.1 is concerned. ^{Prayer is allowed.} Accordingly, M.A.113/11 is disposed of.

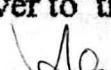
3. Sri Barik, Ld. Counsel appearing for the NVS submitted that he has no information as far as the grant of special allowance to the non teaching staff of NVS is concerned. Sri Biswal, Ld. Counsel for the applicant submitted that applicant No.1 has already taken up the matter for grant of special allowance for all non teaching staff working in JNV as per the order dated 28.07.2010 passed by the Ernakulam Bench in O.A. No.389/2009 and he submitted that no decision has yet been communicated to the applicant. Sri Biswal, Ld. Counsel for the applicant submits that the applicant has submitted a representation dated 09.12.2010 (Annexure-A/5) to Commissioner, JNVS, New Delhi (Respondent No.2).

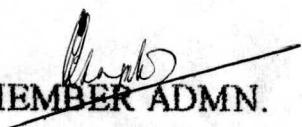
The said representation is pending for disposal. Having received no response, the applicant has approached this Tribunal by filing the present O.A. Since the representation of the applicant has been submitted about three months back, he prays to direct the Respondent No.2 to consider the pending representation of the applicant at Annexure-A/5 and pass a reasoned order regarding Grant of Special Allowance to all Non-teaching staff working in JNVs.

4. Having regard to the submissions made and as agreed to by the Ld. Counsel for the parties, without going into the merit of the case at this stage it is considered that ends of justice will be met by directing Respondent No.2 to consider the case of the applicant as per rules and take decision on the pending representation at Annexure-A/5 and pass a reasoned order within a period of two months. Ordered accordingly. Respondent No.2 shall communicate the decision to the applicant within two months from the date of receipt of the copy of this order.

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

6. Send a copy of this order along with copy of the O.A. to Respondents No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


MEMBER JUDL.


MEMBER ADMN.