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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.370 of 2011

F.Tirkey & Ors Applicants

Versus

Union of India and others Respondents

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1. **Order dated : 09-06-2011.**

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

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By filing MA No. 493 of 2011 38 (thirty eight) employees working as AAO in the Office of the Principal Accountant General (A&E), Orissa, Bhubaneswar, Dist. Khurda have sought to prosecute the Original Application jointly. They have filed this OA seeking direction to the Respondents to treat them as direct recruit Accountant and accordingly to grant them third financial up-gradation under MACP.

2. Heard Mr. G.A.R.Dora, Learned Senior Counsel assisted by Mr. J.K.Lenka, Learned Counsel, for the Applicants and Mr. U.B.Mohapatra, Learned Senior Standing Counsel appearing on notice for the Respondents both on MA as also on the OA and perused the materials placed on record.

3. Taking into consideration the different dates of joining and dates of entitlement to get the third financial up-

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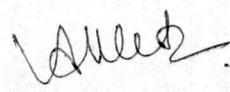
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gradation under the ACP and in absence of any documentary proof of submission of representation by each of the applicants I find no justifiable reason to allow this MA to prosecute the OA jointly. Hence MA No. 493 of 2011 filed by the Applicants to prosecute this OA jointly stands dismissed.

4. However, it is seen that Applicant No. 18 has submitted representations as at Annexure-A/7 series and according to the Learned Senior Counsel appearing for the Applicants no decision has yet been taken on the said representation and therefore, this OA may be confined to Applicant No.18 and accordingly notice may be issued to the Respondents to file their counter. Hence this OA is confined in so far as Applicant No.18 is concerned. But even then I am not convinced for admitting this OA as it is seen that the representations of the Applicant No.18, at Annexure-A/7 series, are dated 8.12.2009, 15.02.2010 and 19.07.2010 and no decision has yet been taken thereon. Hence, as suggested by Learned Senior Counsel appearing for the Applicants and agreed to by Learned SSC appearing for the Respondents, without expressing any opinion on the merit of the matter, this Original Application is disposed of at this admission stage with direction to the

File

Respondent Nos.2&3 to consider and dispose of the pending representations of the Applicant No.18 as at Annexure-A/7 and communicate the decision in a well reasoned order to the Applicant No.18 within a period of 60(sixty) days from the date of receipt of copy of this order.

5. Send copy of this order along with OA to the Respondent Nos.2&3 and free copy of this order be given to Learned Counsel appearing for both sides.


(A.K.PATNAIK)
Member (Judicial)