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O.A. No. 445 of 2011

Balaram Rout.....Applicant

Vs

Union of India & Ors.....Respondents

Order dated: 11.08.2011

CORAM:

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

&

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

Heard Mr. L.K.Patnaik, Ld. Counsel for the applicant and Mr. G.C.Nayak, Ld. Govt. Advocate for the State of Orissa.

2. The applicant has approached this Tribunal with the following prayer:

(i) Direction may be issued to the respondent No.1 to sanction final pension in favour of the applicant within a specific period.

(ii) The respondent No.1 may also be directed to sanction and pay the retirement gratuity of the applicant with interest at a rate to be fixed by the Hon'ble Court within a period of one month failing which the rate of interest may be enhanced at the discretion of the Hon'ble Court."

3. The applicant, as an interim prayer, also prays that since payment of gratuity has been delayed for years the O.A. may be disposed at the stage of admission.

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4. It is the case of the applicant that though he has preferred a detailed representation before Respondent No.1 vide Annexure-5 dated 10.04.2011 regarding payment of pensionary dues, the same is still pending for disposal.

5. Having heard Ld. Counsel for the parties, we are of the view that since a detailed representation of the applicant is still pending with Respondent No.1 as at Annexure-5, we, at this stage, without entering into the merit of the case, deem it proper to direct Respondent No. 1 to consider the pending representation and pass a reasoned order within a period of 90 days from the date of receipt of copy of this order. Ordered accordingly.

6. With the above observation and direction, the O.A. stands disposed of.

7. Send copy of this order to the Respondents and free copies of this order be given to the Ld. Counsel appearing for the parties.

MEMBER (Judl.)

MEMBER (Admn.)

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