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O.A. No.464/2011

ORDER DATED 26th OF JULY, 2011

Ganesh Nath Applicant
Vrs.
Union of India & Others Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER ADMN.
&
HON'BLE MR. A.K. PATNAIK, MEMBER JUDL.

Heard Sri N.R. Routray, Ld. Counsel for the applicant and Sri S.K. Ojha, Ld. Standing Counsel appearing on notice for the Respondents/Railways on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. This Original Application has been filed by the applicant with the following prayer:-

"(i) To direct the Respondents to pay fixed Medical Allowance of Rs.300/- per month from the month of March, 2007."

3. It is the case of the applicant that he got temporary status w.e.f. 01.01.1983 as a Khalasi and brought over to regular establishment w.e.f. 01.04.1988 in the post of PCR Khalasi and finally, retired from service w.e.f. 28.02.2007 on attaining the age of superannuation. According to him, although he is entitled to the benefit of Medical Allowance of Rs.300/- per month from March, 2007 as per the 6th CPC Report which has been granted to similarly circumstances, the same having not been extended in his favour, he has submitted a representation dated 07.02.2011 vide Annexure-A/3 to Respondent No.3. Since the applicant has not yet received any response, by filing the present O.A. he has sought the relief as referred to above.

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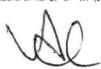
4. During the course of hearing, the Ld. Counsel for the applicant submitted that in the fitness of things a direction may be issued to Respondent No.3 to consider and dispose of the pending representation of the applicant vide Annexure-A/3. Ld. Counsel for the Respondents has no objection to this.

5. Hence, as agreed to by the Ld. Counsel for the parties, without going into the merit of the case at this stage Respondent No.3 is directed to consider and dispose of the pending representation vide Annexure-A/3 and pass a reasoned order within a period of 60 (sixty) days from the date of receipt of copy of this order under intimation to the applicant.

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

7. Send copies of this order along with copies of the O.A. to Respondents No.3 & 4 by speed post (at the cost of the applicant) for compliance and to this effect Sri N.R. Routray, Ld. Counsel for the applicant undertakes to ^{deposit} ~~despite~~ the postal requisite by tomorrow.

8. Free copies of this order be made over to the Ld. Counsel for the parties.


MEMBER JUDL.


MEMBER ADMN.