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O.A. No.466/2011

ORDER DATED 22nd OF JULY, 2011

U. Nayak 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 P.K. Padhi, Ld. Counsel for the applicant and Sri R.C. Swain, Ld. Addl. Standing Counsel appearing on notice for the Respondents 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:-

"To direct the Respondents to sanction and pay Commuted Value of Pension, Leave Salary, Arrear Salary for 02 months and 10 days 10% gratuity, excess payment to bank by the Respondent No.3 etc. with due interest and cost @ 18% per annum."

3. The contention of the applicant is that her husband late Basanta Ku. Nayak, Ex-P.A., Athgath HO retired on superannuation on 30.06.09 and expired on 05.11.09. This Tribunal on 25.01.2011, vide O.A. No.318/2010 had directed Respondent No.3 & 4 to consider the pending representation of the applicant vide Annexure-A/8. On 07.03.2011, Respondent No.3 sanctioned 60% arrear pay due to implementation of 6th CPC from 01.01.06 to 2008, PLB for 2008-09 and Salary for 30.06.09. As the applicant could not get the arrear dues, she represented to Respondent No.3 on 10.03.2011 (Annexure-A/8) for payment of the said un disbursed amount which is pending with the

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Respondents Department. By filing the present O.A. with the above mentioned prayer the applicant submits that a direction may be issued to Respondent No.3 to consider her representation at Annexure-A/8 as per the order dated 07.03.2011 (Annexure-A/7) and communicate a reasoned order to the applicant within a specified time.

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 the ends of justice will be met by directing Respondent No.3 to consider and dispose of the pending representation vide Annexure-A/8 as per the order dated 07.03.2011 (Annexure-A/7) and pass a reasoned order within a period of 45 days from the date of receipt of copy of this order. Ordered accordingly.

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

6. Send copy of this order along with copy of the O.A. to Respondent No. 3 for compliance and urgent free copies of this order be made over to the Ld. Counsel for the parties.


MEMBER JUDL.


MEMBER ADMN.

K.B