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O.A. No. 507 of 2011

Baidhar Nayak.....Applicant  
Vs  
Union of India & Ors.....Respondents

Order dated: 03.08.2011

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admn.)  
&  
Hon'ble Shri A. K. Patnaik, Member(Judl.)

Heard Mr. H.V.B.R.K. Dora, Ld. Counsel for  
the applicant and Mr. B.K.Mohapatra, Ld. A.S.C. on behalf  
of Mr. U.B.Mohapatra, Ld. Sr. Standing Counsel appearing  
for the Respondents, who has already received a copy of this  
O.A.

2. The applicant has approached this Tribunal  
under Section 19 of the Administrative Tribunals Act, 1985  
seeking the following relief:

".....to direct the Respondents to  
grant the benefit of first financial  
upgradation of pay under ACP  
Scheme upgrading/fixing the basic  
pay of the Applicant from the pay  
scale from Rs. 4200-Rs. 4900 to  
Rs.4000/- - Rs.6000/- (pre-revised)  
with all arrears w.e.f. 09.08.99 till Dt.  
25.09.2007 and second upgradation  
w.e.f. Dt. 26.09.2007 to Dt.  
30.04.2011 in the pay scale of Rs.  
5000/- - 8000/- (pre-revised) and with  
interest till the actual payment is  
made for the ends of justice.

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AND

Be further pleased to direct all consequential benefits such as Pay Revision and other benefits in the new Pay Rules, 2008 and in terms of Annexure-A/9 (PB-2-Rs. 9,300/- - 34,800/- with grade pay of Rs.4,200/-) and arrear thereof till Dt. 30.04.2011 and interest thereof till the actual payment is made for the ends of justice.

AND

Be further pleased to quash the order at Annexure-A/5 or in the alternate direct the Respondents to modify Annexure-A/5 to the extent the applicant is concerned by extending two financial upgradation by revising the pay scale under the ACP Scheme, 2000 for the ends of justice."

3. It is the case of the applicant that though he has preferred detailed representations as at Annexures-A/6 to A/8 ventilating his grievances, the same <sup>are</sup> still pending for consideration.


4. Having heard Ld. Counsel for the parties and as agreed to by them, since the representations of the applicant are still pending, without going into the merit of the case, we dispose of this O.A. with direction to the Respondent Nos.2 and 3 to consider the pending representations as at



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Annexure-A/6 to A/8 and pass a reasoned order under intimation to the applicant within a period of 60 days from the date of receipt of copy of this order.

5. With the above observation and direction, the O.A. stands disposed of. No costs.

6. Send copies of this order, along with copy of the O.A., to the Respondents at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the postal requisites by 08.08.2011. Free copies of this order be given to the Ld. Counsel appearing for the parties.

  
MEMBER (Judl.)

  
MEMBER (Admn.)

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