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O.A. No.577/2011

ORDER DATED 9th OF SEPTEMBER, 2011

S.C. Sahu.....Applicant
Vrs.
Union of India & OthersRespondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER ADMN.

&

HON'BLE MR. A.K. PATNAIK, MEMBER JUDICIAL.

Heard Sri G. Rath, Ld. Sr. Counsel for the applicant and Sri S. Barik, Ld. Addl. Standing Counsel 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 relief:-

“(a) To direct the Respondents to grant two financial upgradation under MACP scheme to the applicant w.e.f. 01.09.08 and pay him the consequential service and financial benefits retrospectively.”

3. It is the case of the applicant that even though he is entitled to two financial upgradations under the MACP Scheme w.e.f. 01.09.08 and that some of his juniors have been extended the said benefits vide Annexure-A/2 dated 08.03.2010, the Respondents for the reasons best known, have not granted the same in his favour.

4. Upon perusal of the records, we find that there is no impugned order and the applicant has not ventilated his grievance before the departmental authorities. Instead he has moved this Tribunal without exhausting the departmental remedies.

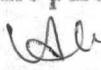
5. Sri Rath, Ld. Sr. Counsel submits that the applicant may be allowed to make a detailed representation to the competent authority

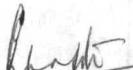
to consider his case for grant of MACP as he has completed 20 years of service on 17.05.2003 and has not got MACP benefit so far. Further he submits that he will make such a representation within a period of 07 days and Respondent No.5 be directed to consider his case and pass a reasoned & speaking order within a specific time frame.

6. Accordingly, as agreed to by the Ld. Counsel for the parties, without going into the merit of the case we direct Respondent No.5 to consider the case of the applicant if such a representation is made within 07 days and a reasoned & speaking order be passed within a period of 60 days from the date of receipt of such representation.

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

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


MEMBER JUDL.


MEMBER ADMN.

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