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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 589 OF 2011

Cuttack this the 8th day of Sept./ 2011

CORAM:

HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER
AND
HON'BLE SHRI A.K.PATNAIK, JUDICIAL MEMBER

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ORDER

Lawyers have abstained from attending Court to-day based on a resolution dated 8.9.2011 passed by the C.A.T. Bar Association in protest against attack on judiciary at Delhi High Court, yesterday.

In view of this the matter is adjourned to 9.9.2011.

ADMINISTRATIVE MEMBER (J)

JUDICIAL MEMBER (A)

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O.A. No.589/2011

ORDER DATED 9th OF SEPTEMBER, 2011

Jogendra.....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 N.R. Routray, Ld. Counsel for the applicant and Sri S.K. Ojha, Ld. Standing Counsel for the Rlys./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 issue corrected PPO including the name of the applicant as ‘Jogendra’.

(b) And to release the DCRG, Commuted Value of Pension and Arrear Pension with 12% interest i.e., from April, 2010 to till date of actual payment.”

3. It is the contention of the applicant that his services were regularized retrospectively w.e.f. 01.04.1973 vide order dated 06.07.1993 and confirmed w.e.f. 09.01.1989 as Khalasi. After rendering 36 years of regular service he retired from service on 31.12.2009 on attaining the age of superannuation. According to the applicant, although he has been granted DCRG, Commuted Value of Pension and Arrears Pension, but due to error while maintaining his name in the PPO, he is unable to receive pensionary benefits as well as pension even after 14 months of his retirement. According to the applicant his name

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
should have been reflected as *JOGENDRA* son of Kulamani or *Jogendra Mallick*, Son of Kulamani (as per affidavit submitted by him during the course of service) instead of "*Jogendra Sahu*" In this connection he has preferred representation dated 07.02.2011 vide Annexure-A/5 to Respondent No.4 which is pending till date.

4. Sri Routray, Ld. Counsel for the applicant submits that since the representation dated 07.02.2011 vide Annexure-A/5 is pending, at this stage he will be satisfied if a direction is issued to Respondent No.4 to consider the representation dated 07.02.2011 vide Annexure-A/5 and dispose of the same with a reasoned/speaking order within a specific time frame.

5. Accordingly, as agreed to by the Ld. Counsel for the parties, without going into the merit of the case, Respondent No.4 is directed to consider and dispose of the pending representation dated 07.02.2011 vide Annexure-A/5 and pass a speaking & reasoned order within a period of 45 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 copy of this order along with copy of the O.A. to Respondents No.2,3,4 & 5 at the cost of the applicant for compliance. Sri Routray Ld. Counsel for the applicant undertakes to deposit the postal requisites by Monday (12.09.2011). Free copies of this order be also made over to the Ld. Counsel for the parties.


MEMBER JUDL.


MEMBER ADMIN.