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O.A. No. 687 of 2011

Kelu Rout..... Applicant  
Vs  
Union of India & Ors..... Respondents

Order dated: 18.10.2011

CORAM:

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

Heard Mr. N.R.Routray, Ld. Counsel for the applicant and Mr. S.K.Ojha, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served.

2. By filing the present O.A., the applicant has made following prayers:

- “a. To direct the Respondents to grant 2<sup>nd</sup> financial upgradation under ACP Scheme w.e.f. 01.10.1999 to the scale of Rs. 4500-7000.  
b. And direct the Respondents to issue revised PPO and release the differential arrear salary, pension, DCRG, Commuted Value of Pension and Leave Salary with 12% interest for the delayed period of payment.”

3. Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has also filed representation vide Annexure-A/4 dated 06.12.2010 before Respondent No.3, which is still pending.

4. Since the representation of the applicant as at Annexure-A/4 is pending with Respondent No.3, we, at this



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stage, without entering into the merit of the case, deem it proper to send the case before the competent authority to take a decision first on the pending representation. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 3 to consider the pending representation and pass a reasoned order within 60 days from the date of receipt of copy of this order.

5. In case, the competent authority finds that the claim of the applicant under Annexure-A/4 is admissible under the Rules/Instructions then he should be paid the consequential benefits arising out of the grant of ACP within three months thereafter to avoid hardship to the applicant.

6. With the above observation and direction, the O.A. stands disposed of.

7. Send copy of this order, along with copy of the O.A., to Respondent Nos. 3 and 4 by Speed Post at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the postal requisites by tomorrow.

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

  
MEMBER(Judl.)

  
MEMBER(Admn.)