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O.A. No. 693 of 2011

Chandramani Bhuyan & Anr. Applicants
Vs
Union of India & Ors. Respondents

Order dated: 19.10.2011

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 applicants 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. Having heard Ld. Counsel for the parties, M.A. 887/11 filed for joint prosecution of this case is allowed and, consequently, disposed of.

3. By filing the present O.A., the applicants have made following prayers:

“a. To direct the Respondents to grant full pension in terms of RBE No. 222/2009 under Annexure-A/2 and grant of consequential financial benefits.”

4. The applicants in this O.A. have enclosed R.B.E.No. 222/2009 issued consequent to the decision taken

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on the recommendation of the 6th Central Pay Commission by the Govt. of India.

5. Ld. Counsel for the applicants submits that ventilating his grievance, the applicants have also filed representations vide Annexure-A/3 series dated 10.01.2011 before Respondent No.4, which are still pending.

6. Since the representations of the applicants as at Annexure-A/3 series are pending with Respondent No.4, we, at this 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 representations. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 4 to consider the pending representations and pass a reasoned order within 60 days from the date of receipt of copy of this order.

7. In case, the competent authority finds that the claims of the applicants under Annexure-A/3 series are admissible under the Rules/Instructions then they should be paid the consequential benefits within three months thereafter to avoid hardship to the applicants.

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

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9. 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.

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

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MEMBER(Judl.)

Champ
MEMBER(Admn.)

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