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O.A. No. 703 of 2011

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

Order dated: 24.10.2011

CORAM:

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

Heard Mr. S. Mishra, 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:

"I) To direct the respondents to grant 2<sup>nd</sup> financial upgradation w.e.f. March, 2006 in scale of Rs. 3050-4590/- under ACP Scheme.

II) And pay thee differential arrear salary for the retrospective period of upgradation.

III) And pay the differential DCRG, Commuted value of pension, leave salary and arrear pension with 12% interest."

3. Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has also filed representation vide Annexure-A/6 dated 10.01.2011 before Respondent No.2, which is still pending.

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4. Having heard L.d. Counsel for the parties, 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 representation. As agreed to by the L.d. Counsel for the parties, we direct Respondent No. 2 to consider the 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 claims of the applicant are admissible then the same should be released within another 90 days.

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. 2, 3 and 4 by Speed Post at the cost of the applicant. L.d. Counsel for the applicant undertakes to deposit the postal requisites by tomorrow.

8. Free copies of this order be handed over to the L.d. Counsel appearing for the parties.

  
MEMBER(Judl.)

  
MEMBER(Admn.)

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