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O.A. No. 715 of 2011

Aintha.....Applicant

VS

Union of India & Ors.....Respondents

Order dated: 27.10.2011

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:

"I) To direct the respondents to grant 2nd financial upgradation w.e.f. 01.10.1999 in scale of Rs. 3050-4590/- under ACP Scheme by extending benefit of order dated 17.05.2011 under Annexure-A/8.
II) And pay the differential arrear salary, 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/7 dated 05.04.2011 before Respondent No.3, which is still pending.

4. Having heard Ld. 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 Ld. Counsel for the parties, we direct Respondent No. 3 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, 4 and 5 by "Dasti" at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the cost of Dasti.

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

MEMBER (Judl.)

MEMBER (Admn.)

RK