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O.A. No. 723 of 2011

Panchanan Swain.....Applicant  
Vs  
Union of India & Ors.....Respondents

Order dated: 28.10.2011

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

“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 applicant in this O.A. has enclosed R.B.E.No. 222/2009 issued consequent to the decision taken on the recommendation of the 6<sup>th</sup> Central Pay Commission by the Govt. of India.

5. Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has also filed


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representation vide Annexure-A/3 dated 10.01.2011 before Respondent No.4, which is still pending.

6. Since the representation of the applicant as at Annexure-A/3 is 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 representation. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 4 to consider the pending representation 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 applicant under Annexure-A/3 is admissible under the Rules/Instructions then he should be paid the consequential benefits within three months thereafter to avoid hardship to the applicant.

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

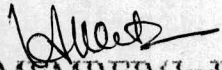
9. Send copy of this order, along with copy of the O.A., to Respondent Nos. 2, 3 and 4 by Dasti and to Respondent No.5 by Speed Post at the cost of the applicant.

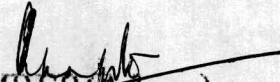




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Ld. Counsel for the applicant undertakes to deposit the  
cost/postal requisites by 31.10.2011.

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

  
MEMBER (Judl.)

  
MEMBER (Admn.)

RK