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

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

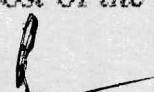
representation vide Annexure-A/3 dated 10.01.2011 before Respondent No.4, which is still pending.

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.

Alka
MEMBER(Judl.)

Chhaya
MEMBER(Admn.)

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