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O.A. No. 731 of 2011

Musa.....Applicant
Vs
Union of India & Ors.....Respondents

Order dated: 31.10.2011

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:

"To direct the respondents to grant 1st
and 2nd financial upgradation under the
M.A.C.P. Scheme w.e.f. 01.09.2008 and
pay the consequential benefits in the
revised Grade Pay i.e., differential arrear
salary, leave salary, DCRG, Commuted
value of pension and pension with 12%
interest for the delayed period."

3. Ld. Counsel for the applicant submits that
ventilating his grievance, the applicant has also filed
representation vide Annexure-A/4 dated 20.12.2010 before
Respondent No.2, which is still pending.



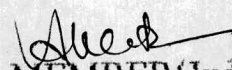
4. Having heard Ld. Counsel for the parties, we, at this stage, without entering into the merit of the case, deem it proper to send the case before the competent authority to take a decision first on the representation. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 2 to consider the representation and pass a reasoned order within 60 days from the date of receipt of copy of this order.

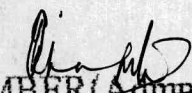
5. In case, the competent authority finds that the claims of the applicant are admissible then the same should be released within another 90 days.

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, and 3 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 (Admin.)

RK