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O.A. No. 766 of 2011

Sura Bahadur Applicant
Vs
Union of India & Ors. Respondents

Order dated: 16.11.2011

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 under para 8 of the relief column:

“ a) To direct the respondents to revise the pay of the applicant at Grade Pay of Rs. 1800/- in PB-1 of Rs. 5200-20200/- w.e.f. 01.01.2006;

b) To direct the Respondents to pay the differential arrear salary w.e.f. 01.01.2006 to September, 2011;

c) To direct the Respondents to pay the differential arrears i.e., Arrear Salary, DCRG, Commuted Value of Pension, Leave Salary and Pension with 12% interest.”

At the very outset, Ld. Counsel for the applicant prayed to delete paragraph 8 (c) of the Relief column as not

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pressed. Prayer is allowed. Accordingly, this O.A. is confined to paragraph 8 (a) and 8 (b) only.

3. Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has also filed representation vide Annexure-A/5 dated 13.09.2011 before Respondent No.4, 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. 4 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 30 days.

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

7. As requested by the Ld. Counsel for the applicant, send copy of this order, along with copy of the O.A., to Respondent Nos. 2, 4 and 5 by "Speed Post" at his



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cost. He undertakes to deposit the postal requisites by
17.11.2011.

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

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MEMBER(Judl.)

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Ch. M/S
MEMBER(Admn.)