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O.A. No. 770 of 2011

Hari Swain.....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:

“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 differential arrear salary, DCRG, Commuted value of pension, leave salary and pension with 12% interest.”

3. Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has also filed representation vide Annexure-A/4 dated 07.03.2011 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



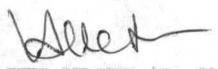
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it proper to send the case before the competent authority to take a decision first on the representation. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 2 to consider the representation and pass a reasoned order within 60 days from the date of receipt of copy of this order.

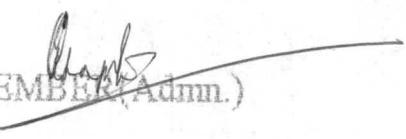
5. In case, the competent authority finds that the claims of the applicant are admissible then the same should be released within another 90 days.

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

7. 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, 3 and 4 by "Speed Post" at his 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.


MEMBER (Judl.)


MEMBER (Admn.)

RK