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O.A. No. 787/2011

24.11.11
ORDER DATED 24th OF NOVEMBER, 2011

Druba..... Applicant

Vrs.

Union of India & Others Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, ADMINISTRATIVE MEMBER

&

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

.....
Heard Sri N.R. Routray, Ld. Counsel appearing for the applicant and Sri S. K. Ojha, Ld. Standing Counsel appearing on notice for the Respondents/Rlys. on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. This Original application has been filed by the applicant with the following prayer:

"a) To direct the Respondents to grant 1st & 2nd financial upgradation under the ACP & MACP Scheme w.e.f. 01.10.1999 and 01.09.2008 and pay the differential arrear salary, DCRG, Leave Salary, Commuted Value of Pension and Pension."

3. Sri Routray, Ld. Counsel appearing for the applicant submits that in this regard, the applicant has already submitted representation addressed to Respondent No.2 vide Annexure-A/8 dated 08.11.2010. The said representation is still pending. In the above background, Ld. Counsel for the applicant submitted that, a direction may be issued to Respondent No.2 to consider and dispose of the pending representation vide Annexure-A/8 with a speaking order within a stipulated

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period with intimation to the applicant.


4. Having regard to the submissions made, without going into the merit of the case, we at this stage 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 (sixty) 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 (ninety) days.

6. With the above observation and direction, this O.A. is disposed of at the admission stage itself. No costs.

7. Send copies of this order along with copies of the O.A. to Respondent Nos. 2, 3 & 4 at the cost of the applicant for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

8. Sri N.R. Routray, Ld. Counsel appearing for the applicant undertakes to deposit the postal requisites by Monday.


JUDL. MEMBER


ADMN. MEMBER