

3

O.A. No. 794 of 2011

Arsu.....Applicant

Vs

Union of India & Ors.....Respondents

Order dated: 29.11.2011

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:

"I). To direct the Respondents to grant 1st financial upgradation w.e.f. 16.09.2000 in the scale of Rs. 2650-4000/- under ACP Scheme.

II). And pay the differential arrear salary for the retrospective period of upgradation.

III). And pay the differential DCRG, Commuted Value of Pension and Leave Salary and arrear pension with 12% interest."

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



4
representation vide Annexure-A/7 dated 08.02.2011 before Respondent No.5, which is still pending.

4. Since the representation of the applicant as at Annexure-A/7 is pending with Respondent No.5, 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. 5 to consider the pending 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 claim of the applicant under Annexure-A/7 is admissible under the Rules/Instructions then he should be paid the consequential benefits arising out of the grant of ACP within three months thereafter to avoid hardship to the applicant.

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

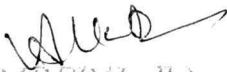
7. As requested by the Ld. Counsel for the applicant, send copies of this order, along with copies of the O.A., to Respondent Nos. 4, 5 and 6 by Speed Post. Ld.

2

5

Counsel for the applicant undertakes to deposit the postal
requisites by tomorrow.

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


MEMBER(Judl.)


MEMBER(Admn.)

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