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O.A.521/09

ORDER DATED 5<sup>th</sup> NOVEMBER, 2009

Coram:

Hon'ble Mr. C.R. Mohapatra, Member (A)

Heard Mr. N.R. Routray, Ld. Counsel for the applicant and Mr. S.K. Ojha, Ld. Standing Counsel for the Respondents appearing on notice.

2. Ld. Counsel for the applicant submits that the applicant is entitled to ACP benefits w.e.f. 11.03.2000 as the same has been granted to similarly placed employees of the Railways. He further submits that the applicant has filed representation to Respondent No.3 on 18.12.08 (Annexure-A/4) but there is no response to this effect from the side of the Respondents till date. He also pointed out that in a similar case, this Tribunal has already passed an order vide order dated 28.05.2009 in O.A. No.210/09 which is based on the earlier order of this Tribunal dated 12.12.08 in O.A. Nos.397/07. He further mentioned that the next Screening Committee meeting is scheduled to be held in January, 2010 in which ACP matters will be considered.

3. In the above background, as agreed to by the Ld. Counsel for both the sides and without expressing any opinion in this matter, it would be proper at this stage to direct

Respondent No.3 to consider and dispose of the pending representation vide Annexure-A/4 with a reasoned order within a reasonable time at any rate by the end of December, 2009, keeping in mind the orders issued by this Tribunal in O.A. Nos.740/05, 397/07 and 210/09 and communicate the result to the applicant. Ordered accordingly.

4. With the above observation and direction this O.A. is disposed of at the stage of admission itself.

5. Copy of this order along with copy of the O.A be sent to Respondent No.3 for compliance. Mr. Routray, Ld. Counsel for the applicant undertakes to serve the copy of this order and copy of the O.A on Respondent No.3 within 07 days from today at his own cost. The same is allowed.

  
~~ADMINISTRATIVE MEMBER~~

K.B.