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O.A.No.136/2010

ORDER DATED 26th MARCH, 2010

Coram:

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

.....
Harihar Patra.....Applicant.

Vs.

Union of India & Ors.Respondents.

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

2. The applicant claims that though he was cleared by Screening Committee to get the benefit of 3rd financial upgradation which was also granted by the Respondents under the MACP Scheme, the same has been subsequently withdrawn vide Annexure-A/3 order dated 13.03.2010. He further submits that this order was issued without giving any opportunity to the applicant and he apprehends recovery action because of the withdrawal of this benefit which was earlier granted to him. In this regard he has already submitted representation dated 25.03.2010 (Annexure-A/4). Hence, at this juncture it will be worthwhile waiting for the disposal of the representation by the competent authority.

3. Hence, at this stage I refrain from going into the merit of this case. As the representation is pending and as

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agreed to by the Ld. Counsel for the parties Respondent No.4 is directed to consider the representation at Annexure-A/4 within 45 days from the date of receipt of the copy of this order from this Tribunal. Meanwhile the action for any recovery of the amount already paid shall remain stayed till the disposal of the representation as aforesaid by Respondent No.4. The grounds urged in the O.A. should be taken into account while considering the representation.

4. With the above observations and directions this O.A. is disposed of at the admission stage itself. No costs.

5. Copy of this order along with copy of this O.A. be sent to Respondent Nos.2, 3 & 4 for compliance by speed post at the cost of the Ld. Counsel for the applicant.


ADMIN. MEMBER