

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

OA No.316 of 2010

Madhab Mallia Applicant

-Versus-

Union of India & Ors. Respondents

1. Order dated: the 14th June, 2010.

C O R A M:

THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

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Alleging non-payment of 1/30th of the pay at the minimum of the relevant pay scale of Gr. D post plus dearness allowance for the work of eight hours a day in terms of the Ministry of Personnel Public Grievances and pension instruction dated 7th June, 1988, this Original Application has been filed by the Applicant seeking direction to the Respondents to release the 1/30th of the pay at the minimum of the relevant pay scale plus dearness allowance against a Group D post long with other service benefits retrospectively as has been allowed to the juniors of the applicant since 2008.

2. This matter is listed today on the basis of the Memo filed by the Applicant dated 10.6.2010 specifically stating therein that the Respondents recently disallowed the Applicant to perform his duty on casual basis which he has been discharging since long.

3. Heard Learned Counsel for the Applicant and Mr. D.K.Behera, Learned ASC appearing on notice for the Respondents and perused the materials placed on record. On being asked it has been reported by Learned Counsel for the Applicant and as also confirmed by the Learned ASC that the applicant is still in engagement on such casual basis and he has not been disallowed as stated by the Learned Counsel in the Memo filed by her for listing the matter during vacation. In view of the above I was inclined to impose a cost of Rs.500/- on the Learned Counsel for the Applicant for giving

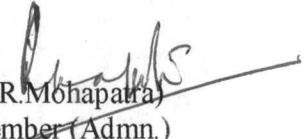


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such misleading statement but for the apology tendered by her with fresh memo withdrawing the earlier Memo, I refrained from imposing the cost on her.

4. However, upon hearing and on perusal of records it is noticed that representation submitted by the Applicant under Annexure-A/6 ventilating his grievance as raised in this OA is still pending with the Respondent No.3. Hence without waste of time as also without expressing any opinion on the merit of the matter, this Original Application is disposed of at this admission stage with direction to the Respondent No.3 to take a view on the pending representation under Annexure-A/6 and communicate its decision in a reasoned order to the Applicant within a period of 45 days from the date of receipt of copy of this order.

5. Send copies of this order along with OA to the Respondent No.3,


(C.R. Mohapatra)
Member (Admn.)