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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00750 OF 2016
Cuttack, this the 2nd day of December, 2016

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)

Laxmi Kanta Das, aged about 57 years, S/o-Late Ganeswar Das, Presently working as Binder Grade-1 in Postal Printing Press, Mancheswar Industrial Estate Rasulgarh, Bhubaneswar, Dist-Khurda, Resident of At- Chandra Sekharpur, Bhubaneswar, Dist- Khurda.

...Applicant

(By the Advocate-M/s. P. P. Behera, R. Pradhan, K. Khuntia)

-VERSUS-

Union of India Represented through

1. Secretary, Ministry of Communication and IT, Department of Post, Dak Bhawan, Sansad Marg, New Delhi-110016.
2. Director General, Department of Post, Dak Bhawan, Sansad Marg, New Delhi-110016.
3. Chief Post Master General, Orissa Circle, At/PO-Bhubaneswar, PIN-751001, Dist-Khurda.
4. The Manager, Postal Printing Press, Mancheswar Industrial Estate, Bhubaneswar-10, Dist-Khurda.

...Respondents

By the Advocate- (Mr. A.C. Deo)

O R D E R (ORAL)

A.K.PATNAIK, MEMBER(J):

Heard Mr. P.P. Behera, Learned Counsel for the Applicant and Mr. A.C. Deo, Learned ACGSC for the respondents on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed under Section-19 of Central Administrative Tribunal Act, 1985 challenging the inaction of the respondents in granting appropriate scale of pay thereby revising his pay at par with his juniors. Further, applicant has also challenged the inaction of the respondents in awarding the benefits under the ACP



and MACP Scheme. The applicant has further prayed for a direction to be issued to the respondents to consider his representation dated 5.10.2015(A/5) regarding enhancement of his scale of pay with effect from 01.01.1996 following the principles of stepping up pay. In the circumstances, he has sought for the following relief.

- (i) To direct the Respondents to allow and pay the higher scale of pay following the principle of step-up w.e.f. 01.01.1996;
- (ii) To direct the Respondents to allow and pay the arrears due in the scale of pay Rs.1150-1500/- which was further revised to Rs.1200-1800/-;
- (iii) To direct the respondents to grant the step up of pay to the applicant and subsequent financial benefits and service benefits; and
- (iv) Interest on arrears may kindly be allowed with cost of the application.

3. Mr. Behera submitted that as per the orders passed by the Hon'ble High Court of Orissa which was subsequently confirmed by the Hon'ble Apex Court, though the respondents have revised the scale of pay of similarly situated persons and granted financial up-gradations , but in the case of the Applicant did not consider his representation for stepping up his pay.

4. Mr. Behera submitted that though the applicant has submitted his representation dated 05.10.2015, but till date no reply has been received and hence, he has moved this Tribunal in this O.A. for redressal of his grievance.



5. As the applicant's representation is stated to have been pending with Respondent Nos.2, 3 and 4, at this stage, I am not inclined to issue notice to the respondents directing filing of counter. Accordingly, without expressing any opinion on the merits of the matter, I would direct Res.Nos.2, 3 and 4 to consider and dispose of the aforesaid representation in the light of the extant rules and instructions and having regard to the orders passed by the Hon'ble High Court of Orissa as confirmed by the Hon'ble Apex Court on the subject within a period of three months from the date of receipt of this order. However, if the applicant's grievance is found to be genuine, the benefits as considered due and admissible be granted in his favour within a further period of two months from the date of communication of the decision on the representation.

6. With the direction as aforesaid, this O.A. is disposed of at the stage of admission itself. No costs.

7. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to Respondent Nos.2,3 and 4 at the cost of the applicant for which Mr.P.P.Behera undertakes to file the postal requisites by 6th of December, 2016.

8. Free copy of this order be made over to learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER(J)