

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 260/00814 OF 2016
Cuttack, this the 17th day of November, 2016

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

Banambar Sethy, aged about 55 years, S/o. Late Bihari Sethy, permanent resident of vill Manzibag, Po:Balang, Dist:Puri, presently working as Superintendent of Post Offices, Bolangir division, Bolangir.

By the Advocate(s)-M/s. D.K. Mohanty, S. Nayak ...Applicant

-VERSUS-

Union of India Represented through

1. Director General of Posts, Ministry of Communications, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-11001.
2. The Chief Post Master General, Odisha Circle, Bhubaneswar, Dist- Khurda-751001.
3. The Post Master General, Berhampur, Ganjam.Respondents

...Respondents

By the Advocate- Mr. C.M. Singh

ORDER (ORAL)

A.K.PATNAIK, MEMBER(J):

Heard Mr. D.K. Mohanty, Ld. Counsel appearing for the applicant and Mr. C.M. Singh, Ld. ACGSC appearing 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 by the applicants under Section 19 of the Administrative Tribunal Act, 1985 challenging the action of the Respondents in not extending the benefit of 2nd financial upgradation under MACP scheme and grant all financial and service benefits retrospectively as the same has been granted to other similarly placed employees which is parse illegal, arbitrary and malafide intention of the authorities. However,

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by ventilating his grievance the applicant has submitted a representation dated 02.03.2016 (Annexure-A/7) before the Post Master General, Berhampur Region, Ganjam (Respondent No.3) and till date no communication has been received from the said Respondent on the outcome of the representation.

3. As it was stated by Mr. Mohanty that a representation has been preferred by the applicant and the same has been pending consideration, without waiting for any reply from the Respondents, I dispose of this O.A. at the stage of admission itself by directing Respondent No.3 that if any such representation has been preferred by the applicant on 02.03.2016 and the same is still pending consideration then the same may be considered and disposed and the result be communicated to the applicant by way of a reasoned/speaking order within a period of two months from the date of receipt of copy of this order.

4. Though I have not expressed any opinion on the merit of the matter all the points raised in the representation which is pending before the Respondent No.3 shall be considered as per Rules and Regulations in force. If, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same may be extended to him expeditiously within a further period of three months from such consideration.

5. However, it is made clear that if in the meantime the said representation has already been considered and disposed of then the result of the same be communicated to the applicant within a period of four weeks from the date of receipt of copy of this order.

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6. With the above observation and direction, 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 No.3 by Speed Post at the cost of the applicant for which Mr. D.K. Mohanty undertakes to file the postal requisites by 22.11.2016.
8. Free copy of this order be made over to learned counsel for both the sides.

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(A.K.PATNAIK)
MEMBER(J)

K.B.