

3
**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A. No. 260/00970 of 2016
Cuttack this the 6th Day of January, 2017.

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

....

Ganesh Mohapatra,
aged about 45 years,
S/o. Sri Gandharba Mohapatra,
At- Plot No. 367/3698, Lane No.2,
Mohadev Nagar, Jharpada, Bhubaneswar,
Dist. Khurdha-751006,
now working as SRO, RMS 'N' Division, Bhubaneswar.

..... Applicant.

By the Advocate(s)-M/s. T. Rath.

-VERSUS-

- 1) Union of India, Represented through its Secretary to Government,
Department of Posts, Dak Bhawan, New Delhi-110001.
- 2) Chief PMG, Odisha Circle, At- Bhubaneswar, PO-Bhubaneswar
GPO-751001, Dist. Khurdha.
- 3) Senior Supdt. RMS 'N' Division, At/PO/Dist- Cuttack-753001.

.....Respondents

By the Advocate(s)-Mr.G. R. Verma.

....

ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. T.Rath, Ld. Counsel for the Applicant, and Mr.
G.R.Verma, Ld. Addl. Central Govt. Standing Counsel appearing for the
Respondents, on whom a copy of this O.A. has already been served, and
perused the materials placed on record.

Ally

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

- “(a) To quash the part of the order under Annexure-A/2 to Annexure-A/4 so far as it denies to the applicant any extra remuneration for the officiating period against higher post.
- (b) The Respondents may be directed to grant higher pay and allowances to the applicant for the period he officiated/worked in the higher posts.
- (c) And pass appropriate orders as may be deemed fit and proper in the facts and circumstances of the case and allow the OA with cost.”

3. The case of the applicant is that he was appointed as Sorting Asst. in the year 1997 and was subsequently promoted to the cadre of LSG in the year 2011. On 03.08.2011, he was ordered to work as Head Sorting Assistant (HSG-II). On 05.05.2014 he made a representation to Respondent No.2 for granting higher pay and allowances as he was working in a higher post. However, the same was not paid to him and, in the meantime, i.e. on 04.06.2015, he has been promoted as HSG-II. Mr. Rath, Ld. Counsel for the applicant, submitted that although the applicant had ventilated his grievance before Respondent No.2 by making representation on 05.05.2014 but till date no reply has been received from the said authority. He further submitted that grievance of the applicant will be more or less satisfied if a direction can be issued to the said Respondent No.2 to consider applicant's representation. On being questioned, Mr. Rath submitted that till date no response has been received from the said Respondent No.2 against the representation so preferred on 05.05.2014.

4. Since the representation of the applicant is stated to be pending with Respondent No.2, without going into the merit of the matter, I dispose of

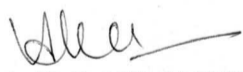
Allee

this O.A. at this admission stage with direction to Respondent No.2 to consider the said representation dated 05.05.2014, if at all filed and is still pending, and pass a well reasoned order and communicate the result thereof to the applicant within a period of three months from the date of receipt of a copy of this order.

I make it clear that although I have not entered into the merit of the case and all the points raised in the representation are kept open for the Respondent No.2 to consider as per the rules and regulations in force, still then I hope and trust that if after such consideration, the applicant's case is found to be genuine then necessary steps be taken for redressal of his grievance preferably within a further period of two months from the date of such consideration. However, if in the meantime, the said representation of the applicant has already been 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 a copy of this order.

5. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

6. Copy of this order along with paper book be communicated to Resp. No. 2 by Speed Post at the cost of the applicant for which Mr. Rath, Ld. Counsel for the applicant, undertakes to file the postal requisites by 10.01.2017.


(A.K.PATNAIK)
MEMBER (J)

RK