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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00252 of 2015
Cuttack, this the 12th day of May, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

.....
Yasovant Narayan Behera,
aged about 45 years,
S/o Uma Charan Behera,
At- House No. 7, Hati Bandha Street,
Berhampur, Dist- Ganjam,
At present working as Trained Graduate Teacher
In Jawahar Navodaya Vidyalaya, Hadagarh,
PO- Hadagarh, PS- Soso, Dist- Keonjhar.

...Applicant

(Advocates: M/s. P.K.Mohapatra, S.C.Sahoo)

VERSUS

Union of India Represented through its

1. Secretary,
Ministry of Human Resources Development,
Dept. of School Education and Literacy,
Govt. of India, South Block, New Delhi-110011.
2. Commissioner,
Navodaya Vidyalaya Samiti,
B-15, Institutional Area, Sector-62,
Noida, G.B.Nagar, Utter Pradesh.
3. Dy. Commissioner,
Navodaya Vidyalaya Samiti,
Regional Office, At-135, Gate No.2,
Alkapuri, Near Bahibganj, Bhopal.
4. Principal,
Navodaya Vidyalaya Samiti,
At/PO- Hadagarh, PS- Soso,
Dist. Keonjhar.

... Respondents

(Advocate: Mr. S. Behera)

.....
Mr. Behera

ORDER (ORAL)

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

Heard Mr. P.K.Mohapatra, Ld. Counsel for the Applicant, and Mr. S. Behera, Ld. Sr. Central Govt. Panel Counsel 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 applicant under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“(i)....to pay the interest on the illegal withheld of his legitimate arrear dues of Rs. 44,910.00 from the date of sanction i.e. on 18.04.2011 to the date of disbursement, i.e. on 31.03.2014 forthwith and thereby quashing the order dated 18.09.2014 as at Annexure-A/6.”

3. Facts of the case, as reveals from the record, are that the applicant is working as Trained Graduate Teacher in Jawahar Navodaya Vidyalaya, Hadagarh. His grievance is that pursuant to the Pay Revision, 2008 arrear salary was sanctioned by the Dy. Commissioner (Respondent No.3) in respect of all the staffs. But, though the same was disbursed to other staffs on 18.04.2011 Respondent No.4 intentionally did not disburse the same to the applicant. However, the same was disbursed to him on 31.03.2014. Mr. Mohapatra, Ld. Counsel for the applicant, submitted that applicant made representation on 28.11.2014 vide Annexure-A/7 to Respondent No.3 for grant of interest on the withheld amount but till date the applicant has received no response. Accordingly, he has filed this O.A. with the aforesaid prayers.

4. Taking into account the submission made by Mr. Mohapatra, Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, we dispose of this O.A. at this admission stage by directing Respondent No. 3 to consider and dispose of the representation dated 28.11.2014, if the same has been filed and is



still pending consideration, with a well reasoned order and communicate the same to the applicant within a period of 60 days from the date of receipt of a copy of this order. However, the points raised by the applicant in his representation ^{are} ~~is~~ kept open for the authorities to consider the same as per the law and rules in force. If after such consideration the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken preferably within a further period of 90 days from the date of such consideration to grant the same to the applicant. If in the meantime the said representation stated to have been filed has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Mohapatra, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 15.05.2015.


(R.C.MISRA)
MEMBER(Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)