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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.360/00310 of 2015
Cuttack this the 19th day June, 2015
CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)

1. Bhabani Sankar Rai
Aged about 35 years
Son of Narveram Rai
2. Santosh Kumar Chattar
Aged about 38 years
Son of late Durga Chattar

Both are working as Technical Officer-A in Defence Research Organization. Proof & Experimental Establishment
Ministry of Defence, Chandipur-756 025
Dist-Balasore

...Applicants

By the Advocate(s)-Mr.B.P.Satpathy
-VERSUS-

Union of India represented through

1. The Secretary
Ministry of Defence
South Block
New Delhi-110 011
2. Development of Defence Research & Development
Ministry of Defence
Represented through
The Secretary-cum-Director General
DRDO & Scientific Advisor to Raksha Mantry
DRDO Bhawan
Rajaji Marg
New Delhi-110 105
3. Director
Center for Personnel Talent Management(CEPTAM)
DRDO, Ministry of Defence



Metcalf House
New Delhi-110 054

4. Director
Directorate of Human Resource & Development, DRDO
DRDO Bhawan
Rajaji Marg
New Delhi-110 105
5. Director
Proof & Experimental Establishment
Ministry of Defence
Chandipur-756 025
Dist-Balasore

...Respondents
By the Advocate(s)-Mr.S.K.Patra
ORDER

R.C.MISRA, MEMBER(A):

M.A.No.337 of 2015 for joint prosecution is allowed. Accordingly,
M.A.No.337 of 2015 is disposed of.

2. Heard Mr.B.P.Satpathy, learned counsel for the applicants and Mr.S.K.Patra, learned ACGSC for the Respondents on the question of admission.
3. Facts of the matter are that both the applicants were originally appointed as Senior Technical Assistant-A (STA-A) and joined in the Office of Respondent No.5 in the year 2001. On 1.9.2007, applicants were promoted as STA-B, and, on 1.9.2011, they were further promoted as STA-C, which post was later on redesignated as Technical Officer-A (TO-A) on



12.06.2013. The submission of the learned counsel is that on their promotion to the rank of STA-C, which was later on redesignated as TO-A, the pay of the applicants was not fixed. However, later on, the amount towards promotional benefit for that period was recovered without any prior notice to the applicants. It has been brought to my notice that the applicants have preferred representations to the Secretary cum Director General, DRDO & Scientific Advisor (Res.No.2) on 10.11.2014, copy of which has been given to the Director, Proof & Experimental Establishment(Res.No.5). On perusal of the representations, it is noticed that a prayer has been made to extend the benefit of fixation of pay and also to refund the amount that has been recovered from the applicants towards the promotional benefits. The representations are not very clear as to what is the specific amount which has been recovered and now claimed to be refunded to the applicants. It is also not clear in which scale the applicants' pay was fixed and later on, the amount towards promotional benefits was recovered from the applicants. However, it is submitted by the learned counsel for the applicant that the representations have not so far been disposed of.



4. At this stage, without entering into the merits of the matter, I direct Respondent No.2 to consider and dispose of the representation dated 10.11.2014, if pending with him, and communicate the decision thereon to the applicant in a well-reasoned order within a period of three months from the date of receipt of this order.

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

6. On the prayer made by learned counsel copy of this order along with paper book of O.A. be sent to Respondent No.2 at the cost of the applicant, for which Mr.Satpathy undertakes to file the postal requisites by 22.6.2015. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

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