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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00476 of 2015
Cuttack, this the 7th day of August, 2015

CORAM

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

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Sukanta Behera,
Aged about 41 years,
S/o Sarat Behera,
At- Luna, PO- Sorakena, PS- Baliana, Dist.- Khurda
At present working as Casual worker awarded with 1/30th status,
Archaeological Survey of India Site,
At/PO- Sitabanjhi, Dist- Keonjhar, Odisha.

...Applicant

(Advocates: M/s. S.K.Ojha, S.K.Nayak, P.B.Mohapatra)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Culture, Shastri Bhawan,
'A' Wings, New Delhi-110001.
2. Director General,
Archaeological Survey of India,
Janpath, New Delhi-110011.
3. Superintending Archaeologist,
Archaeological Survey of India,
Toshali Apartment, Block No.-VI,
Satya Nagar, Bhubaneswar-07,
Dist- Khurda, Odisha.

... Respondents

(Advocate: Mr. S.B.Mohanty)

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ORDER (ORAL)

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

Heard Mr. S.K.Ojha, Ld. Counsel for the Applicant, and Mr. S.B.Mohanty, 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.

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

“(a) To pass appropriate orders directing the departmental Respondents to consider the case of the applicant for granting grade pay of Rs. 1800/- instead of Rs. 1300/- retrospectively.

b) To pass such other order”.

3. Facts of the case, as revealed from the record, are that the applicant was initially appointed as a casual labourer under the office of Respondents NO.3 in the year 1988 on daily wage basis. He has been awarded with 1/30th status in the year 2008 and his pay has been fixed at the minimum of the Group “D” pay scale with Grade Pay of Rs. 1300/-. His grievance is that though he is entitled for the Grade Pay of Rs. 1800/-, which has already been granted to other similarly situated employees, the same has not been extended to him and, accordingly, he has been discriminated. Mr. Ojha, Ld. Counsel for the applicant, submitted that putting forth his grievance, the applicant made representation on 16.04.2015 (Annexure-A/3) before Respondent No.3 but till date no heed has been paid to his grievance and the same is still pending consideration.

4. Since the positive case of the applicant is that his representation is still pending with the authorities, without expressing any opinion on the



merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 3 to consider and dispose of the representation of the applicant, 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 two months from the date of receipt of a copy of this order. If after such consideration the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of three months therefrom to grant the same to the applicant. However, the points raised by the applicant in his representation are kept open for the authorities to consider the same as per the law and rules in force. However, if in the meantime the said representation 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. Ojha, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 3 by Speed Post for which he undertakes to file the postal requisites by 11.08.2015.


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