

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00597 of 2015
Cuttack, this the 14th day of September, 2015

CORAM

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

...

1. Sri Tapan Kumar Jena, aged about 51 years,
S/o Sri Kulamani Jena
2. Sri Gopabandhu Nayak, aged about 54 years,
S/o Sri Pranakrushna Nayak
3. Sri Krushna Chandra Sahoo-II, aged about 49 years,
S/o Late Kshetrabasi Sahoo
4. Sri Umesh Prasad Panda, aged about 52 years,
S/o Late Jagneswar Panda
5. Sri Sarat Kumar Mohapatra, aged about 47 years,
S/o Sri Raj Kishore Mohapatra
6. Sri Fakir Charan Patra, aged about 52 years,
S/o Late Jadunath Patra
7. Sri Biman Ranjan Pandit, aged about 51 years,
S/o Sri Abani Mohan Pandit
8. Sri Krushna Chandra Sahoo-I, aged about 51 years,
S/o Late Jadaba Sahoo
9. Sri Ajay Kumar Das, aged about 51 years,
S/o Late Agadha Das
10. Sri Kailash Chandra Panda, aged about 50 years,
S/o Late Jagannath Panda
11. Sri Pravat Kumar Pati, aged about 53 years,
S/o Sri Bata Krishna Pati
12. Sri Ranjan Kumar Sahoo, aged about 50 years,
S/o Sri Laxmidhar Sahoo
13. Sri Prasant Kumar Khilar, aged about 56 years,
S/o Sri Premananda Khilar



14. Sri Lingaraj Mishra, aged about 59 years,
S/o Late Danabandhu Mishra
15. Sri Harihar Chand, aged about 52 years,
S/o Sri Madanmohan Chand
16. Sri Bijay Kumar Nayak, aged about 52 years,
S/o Sri Sindhu Nayak
17. Sri Ashutosh Das, aged about 50 years,
S/o Sri Arttatrana Das
18. Sri Satyanarayan Mishra, aged about 50 years,
S/o Late Dinabandhu Mishra
19. Sri Sarada Prasanna Mohapatra, aged about 59 years,
S/o Late Gagan Chandra Mohapatra
20. Sri Anil Kumar Pati, aged about 49 years,
S/o Late Raghunath Pati
21. Sri Aradhendu Kumar Mandal, aged about 51 years,
S/o Late Sudhir Chandra Mandal
22. Sri Govind Narayan Murty, aged about 49 years,
S/o Sri G.H.Swamy
23. Sri Govinda Chandra Moharana, aged about 55 years,
S/o Sri Radhanath Moharana
24. Sri Natabar Das, aged about 51 years,
S/o Sri Manamali Das
25. Sri Kailash Chandra Rout, aged about 52 years,
S/o Sri Bhaskar Chandra Rout
26. Sri V. Ananda Bhatta, aged about 49 years,
S/o Late V.R.G.K.C Bhatta
27. Sri Krishna Chandra Panda-II, aged about 57 years,
S/o Late Jagat Narayan Panda
28. Sri Anjan Kumar Mohanty, aged about 50 years,
S/o Late Kshirod Chandra Mohanty
29. Sri Simanchal Gouda, aged about 50 years,
S/o Sri Brundaban Gouda.

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30.Sri Khageswar Das, aged about 56 years,
S/o Sri Prahallad Das

(Advocates: Mr. D.K.Mohanty-I)

...Applicants

VERSUS

Union of India Represented through

1. Union of India represented by the Secretary, Ministry of Personnel Public grievances and pensions, Department of Personnel & Training, North Block, New Delhi.
2. The Comptroller & Auditor General of India, 9, Deendayal Upadhyaya Marg, New Delhi-110124.
3. Accountant General (A&E), Odisha, Bhubaneswar, Dist. Khurda.
4. Daud Horo, S/o Lucas Horo.
5. Rabindra Nath Chand, S/o Late Satish Ch. Chand.
6. Prasanna Ku Sarangi, S/o Jagannath Sarangi.
7. Pravakar Rao, S/o A. Narayana Rao

The Respondent No.4, 5, 6 & 7 are working as Senior Accountants in the office of the Accountant General (A&E), Odisha, Bhubaneswar.

...Respondents

(Advocate: Mr. S. K.Patra)

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O R D E R (ORAL)

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

Heard Mr. D.K.Mohanty-I, Learned Counsel for the Applicants, and Mr. S.K.Patra, Ld. Addl. CGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. M.A.No. 670/15 filed under Rule 4(4) of the Administrative Tribunals Act, 1985 for joint prosecution is allowed subject to payment of

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Rs. 50/- per applicants except applicant No.1. M.A. No. 670/15 is, accordingly, disposed of.

3. Mr. Mohanty-I, Ld. Counsel for the applicant submitted that all the applicants are similarly situated persons and they have challenged the action of Respondents in not granting Grade Pay of Rs. 5400/- in PB-2 of Rs. 9300-34800/- although similarly situated employees have already availed of the same benefits in view of the orders passed by several Benches of this Tribunal, Hon'ble High Courts as well as the Hon'ble Supreme Court of India. Further, Mr. Mohanty has brought to our notice the order passed by this Tribunal in O.A. No. 588/15 disposed of on 04.09.2015. Mr. Mohanty, Ld. Counsel for the applicant, submitted that claiming the aforesaid benefits the applicants filed representations to the Respondents in the year 2014, which are still pending consideration with the authorities.

4 After hearing Ld. Counsels for both the sides and after going through the records, without entering into the merit of the matter, we dispose of this OA, at this admission stage with a direction to the Respondent No. 3 to consider and dispose of the representations of the applicants by a reasoned and speaking order and communicate the same to the applicants individually within a period of 60 days from the date of receipt of copy of this order. Though, we have not expressed any opinin on the merit of the matter, still then we hope and trust that the Respondents will take expeditious steps to grant the relief so claimed by the applicants, if after such consideration they are found to be entitled to the relief claimed by them, within a further period of 90 days from the date of such consideration.



However, if, in the meantime, the representations have already been disposed of then the result thereof be communicated to the applicants individually within a period of three weeks from the date of receipt of a copy of this order. No costs.

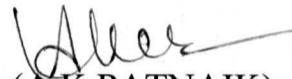
5. On the prayer made by Mr. Mohanty-I, Ld. Counsel for the applicants, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 16.09.2015.

6. Free copy of this order be made over to Mr. S.K.Patra, Ld.

ACGSC



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



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

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