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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

Original Application No.260/00681 of 2015
Cuttack, this the 15th day of October, 2015

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

Tahali Mallick,
aged about 67 years,
S/o. late Mana Mallick,
Retired Senior Trackman/Engineering/
KUR, Under PWI /East Coast Railway/Gorakhnath,
Permanent resident of Vill.-Khuntala,
PO-Rahama, P.S.-Tirtol,
Dist-Jagatsinghpur, Odisha.

...Applicant

(Advocate: M/s. N.R. Routray, S. Sarkar, U. Bhatt, J. Pradhan, S.K.
Mohanty, T.K. Choudhury)

VERSUS

Union of India Represented through

1. The General Manager,
East Coast Railway, E.Co.R. Sadan,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
2. Senior Divisional Personnel Officer,
East Coast Railway,
Khurda Road Division,
At/Po-Jatni, Dist-Khurda.
3. Senior Divisional Financial Manager,
East Coast Railway,
Khurda Road Division,
At/Po-Jatni, Dist-Khurda.

... Respondents

(Advocate: Mr. T.Rath)



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ORDER (Oral)

R.C. MISRA, MEMBER (A)

Heard Mr.N.R.Routray, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the Railways.

2. It is the case of the applicant that he entered the railway service with effect from 21.11.1989 and retired from service on attaining the age of superannuation with effect from 31.1.2009 and therefore, he has acquired a total qualifying service of 17 years five months. After his retirement, his pension and pensinary benefits have been settled in PB-1 with GP Rs.1650/-.

Grievance of the applicant is that he has not been given the benefit of MACP during his service career. His specific case is that although he had completed 10 years qualifying service as on 1.9.2008, he was not given the first financial upgradation under the MACP Scheme. During the course of hearing on admission, Mr.Routray brought to my notice that applicant ventilating his grievance has made a representation to the Senior Divisional Personnel Officer, E.Co.Railway, Khurda Road Division (Res.No.2) on 16.2.2015 in which he has prayed for grant of pay in PB-I with GP Rs.1800 with effect from 1.1.2006 and first financial upgradation under the MACP Scheme in GP Rs.1900/- with effect from 1.9.2008 with consequential




financial benefits along with arrear dues. But so far the same has not been considered by the authorities.

3. After hearing the learned counsel for both the sides, I feel it proper at this stage, without expressing any opinion on merit, to direct the respondent no.2 to consider the representation as aforesaid in accordance with rules and instructions and communicate a decision to the applicant through a reasoned and speaking order within a period of sixty days from the date of receipt of this order. However, if the applicant, is found to be entitled to get the benefits as prayed for in his representation, the same may be granted to him within a further period of ninety days from the date of communication of the speaking order.

4. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

5. On the prayer made by the learned counsel send copy of this order along with paper book to Res.no.2 by speed post for which Mr.Routray undertakes to file the postal requisites by 16.10.2015.

6. Free copy of this order be made over to learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)

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