

# CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH: CUTTACK

Original Application No. 260/0092 of 2015 Cuttack, this the 26<sup>th</sup> day of February, 2015

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

Duryodhan Sethy,

aged about 44 years,

S/o Khetrabasi Sethy,

At/PO- Garhbandhgoda, Vill- Sainkul,

Dist-Keonjhar,

At present working as Postmaster Grade-1,

Balichandrapur S.O. under Cuttack North Division, Cuttack.

...Applicant

(Advocates: Mr. D.K.Mohanty)

#### **VERSUS**

Union of India Represented through

- 1. Director General of Post, Ministry of Telecommunication, Department of Post, Dak Bhawan, Sansad Marg, New Delhi-1.
- 2. Chief Postmaster General, Odisha Circle, Bhubaneswar, Khurda,
- 3. Director Postal Services, O/o Postmaster General, Sambalpur Region, Sambalpur-768001.
- 4. Superintendent of Post Offices, Keonjhar Division, Keonjhar Garh.
- 5. Superintendent of Post Offices, Cuttack North Division, Cuttack- 753001.

... Respondents

(Advocate: Mr. S.Barik)

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# ORDER (ORAL)

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

Heard Mr. D.K.Mohanty, Learned Counsel for the Applicant, and Mr. S.Barik, 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. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to disburse one increment of pay in pay band from 07.01.2013 under Annexure-A/3 with arrears as he was carrying the higher duties and responsibilities since 18.08.2011. Mr. Mohanty, Ld. Counsel for the applicant, submitted that the applicant initially joined as Postal Assistant at Koraput Division in September, 1994 and subsequently was transferred to Keonjhar Division. He got the first MACP in the scale of pay Rs. 5200-20200/- with Grade Pay Rs. 2800/- on 16.02.2010. Subsequently, he passed the Limited Departmental Competitive Examination and was promoted to the post of Postmaster Grade-I with the scale of pay of Rs. 5200-20200 with Grade Pay of Rs. 2800/- w.e.f. 25.07.2011. Mr. Ministry

Mohanty submitted that in view of the Department of Finance, Govt. of India notification dated 07.01.2013, Annexure-A/3, the applicant should be paid one increment equal to 3% of the sum of the pay in the pay band as he has been promoted to a post, which is carrying higher duties and responsibilities. Mr. Mohanty further submitted that ventilating his grievance, the applicant preferred representation to Respondent No.3 on 31.10.2014 vide Annexure-A/6, but till date no response has been received by the applicant.

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- 3. Since the representation has been made and is said to be pending before the Respondent No.3, without expressing any opinion on the merit of the case, we consider it appropriate to give a direction to Respondent No.3 to dispose of the representation dated 31.10.2014 of the applicant, if the same is still pending, with a reasoned and speaking order and communicate the result thereof to the applicant within a period of 60 days from the date of receipt of copy of this order. It after such consideration the applicant is found to be entitled to the relief claimed by him then expeditious steps may be taken within a further period of 90 days to extend the said benefit to him. If in the meantime the aforesaid representation has already been considered and 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.
- 4. With the above observation and direction this O.A. stands disposed of at the stage of admission.
- On the prayer made by Mr. Mohanty, 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 deposit the postal requisites by 02.03.2015.

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

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