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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

Original Application No.260/00689 of 2015
Cuttack, this the 15th day of October, 2015

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

Narahari Das,
aged about 64 years,
S/o. late Rama Chandra Das,
Retired Keyman/Engineering/
KUR, Under PWI /East Coast Railway/Gorakhnath,
Permanent resident of Vill.-Raigan,
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,
Chandrasekharpur, 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)



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. Applicant in this Original Application has approached this Tribunal for direction to be issued to respondent-railways to grant him the 1st financial upgradation under the MACP Scheme with effect from August, 2011 and to make payment of consequential financial benefits with arrears dues along with interest.

3. It has been submitted that although applicant has retired since the year 2012, MACP being a continuous cause of action, he has now made a prayer in this regard to the Senior Divisional Personnel Officer, East Coast Railwzys (Res.No.2) vide his representation dated 10.2.2015 which has not so far been considered and disposed of.

4. I have considered the rival submissions of the learned counsel for both the sides. At this stage, without going into the merit of the matter, I would direct respondent no.2 to consider and dispose of representation of the applicant dated 10.2.2015 if it is pending at his level and pass a reasoned and speaking order in accordance with the MACP Scheme to be communicated



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to the applicant 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.

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

6. 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.

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



**(R.C.MISRA)
MEMBER(A)**

BKS