

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

Original Application No.260/00690 of 2015
Cuttack, this the 15th day of October, 2015

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

Babaji Nayak,
aged about 65 years,
S/o. late Dhadi Nayak,
Retired Head Trackman/Engineering/
KUR, Under PWI /East Coast Railway/Gorakhnath,
Permanent resident of At/P.O.-Jaipur,
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)



4 2 -

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 and 2nd financial upgradation under the MACP Scheme on the ground that he had rendered more than 29 years qualifying service as on the date of his superannuation on 30.6.2011. It is submitted that applicant ventilating his grievance has submitted a representation to respondent no.2 on 23.2.2015 and the said representation is pending for disposal with res.no.2.

4. In consideration of the 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 23.2.2015 if it is pending at his level and pass a reasoned and speaking order in accordance with the MACP Scheme to be communicated 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