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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00707 OF 2015

Cuttack, this the 26th day of October, 2015

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)

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

.....

Niranjan Swain, Aged about 65 years, S/o. Late Nabina Swain, Retired Head Trackman/Engineering/ East Coast Railway, under PWI/Gorakhnath, permanent resident of Patapur, P.O.-Chatua, P.S.-Kujanga, 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)

ORDER (Oral)

A. K. PATNAIK, MEMBER (J):

Heard Mr. N.R. Routray, Ld. Counsel appearing for the Applicant and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“ To direct the Respondents No.2 to pay the differential DCRG amount of Rs.63,286/- with 12% interest for the delayed period of payment”

3. Mr. Routray, Ld. Counsel for the applicant submitted that alleging incorrect DCRG amount the applicant submitted representation dated 11.05.2015 (Annexure-A/3) to Respondent No.2 for payment of



4 differential DCRG amount of Rs.63,286/- with interest. It has further been submitted that no response has been received by the applicant on his representation. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representation submitted by the applicant is stated to be pending, without entering into the merit of this case, we dispose of this O.A at the stage of admission by directing Respondent No.2 to consider the representation dated 11.05.15 (Annexure-A/3) if the same is still pending, as per the extent Rule and regulation and communicate the result thereof to the applicant by way of a reasoned/ speaking order within a period of sixty days from the date of receipt of copy of this order. If, after such consideration it is found that the applicant is entitled to any financial benefits as claimed by him then the same may be extended to him within a further period of 03 (three) months from such consideration. Though we have not expressed any opinion on the merit of the case, we make it clear that all the points raised in the representation will be kept open for the Respondents to consider the same as per Rules in force. However, it is made clear that if the said representation dated 11.05.2015 (Annexure-A/3) has already been disposed of then the result of the same may be communicated to the applicant within a period of 15 days.

5. In the result, the O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Routray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.2 by Speed Post for which Mr. Routray undertakes to file the postal requisites by 30.10.2015.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)