

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00806 of 2015
Cuttack, this the 24th day of November, 2015

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

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Anil Kumar Dutta,
aged about 54 years,
S/o Late Dwijendra Nath Dutta,
At. Qr. No.-A/62, Postal Press Colony,
Rasulgarh, Bhubaneswar -25, Dist- Khurda-751025
Now working as Bindery Asst. Postal Printing Press, Bhubaneswar.

...Applicant

(Advocates: M/s. P.R.J.Dash, M.P.J.Ray)

VERSUS

Union of India Represented through its

1. Secretary-cum-Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Chief Post Master General,
Odisha Circle, At/PO- Bhubaneswar,
Dist- Khurda-751001.
3. Manager,
Postal Printing Press, Mancheswar Industrial Estate,
Bhubaneswar- 751010.

... Respondents

(Advocate: Mr. B.Swain)

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ORDER (ORAL)

R.C.MISRA, MEMBER (ADMN.):

Heard Mr. P.R.J.Dash, Ld. Counsel for the Applicant, and Mr.B.Swain, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents on the question of admission and perused the materials placed on record.



2. Applicant is presently working as Bindery Assistant in the Postal Printing Press, Bhubaneswar. It is the case of the applicant that the post of Bindery Assistant and Bindery Gr.II was amalgamated and treated as one post on the basis of the report of the 5th CPC. Since the revised scale was not granted, some of the staff of the Postal Printing Press approached this Tribunal in O.A.No.361/99, but the Tribunal dismissed the said O.A. However, this order was challenged before the Hon'ble High Court of Orissa in OJC No.5458 of 2001 and the Hon'ble High Court set aside the orders of this Tribunal allowed the claims. Subsequently, the matter having been appealed of, the Hon'ble Supreme Court confirmed the orders of the Hon'ble High Court. Thereafter, since the respondents did not give the benefits to similarly placed 57 employees, they moved this Tribunal and the Tribunal allowed their claims. On the basis of the direction of the Tribunal, the benefit was extended to 57 employees working under the respondents.

3. Mr.P.R.J.Dash submitted that since the applicant is similarly placed employee, in pursuance of Article 14 of the Constitution "Right to Equality", the same benefit should be extended to him.

On the other hand, Mr.B.Swain prayed for some time to obtain instructions in this matter.

4. However, it is found from the record that the applicant has made a representation dated 12.10.2015 to the Manager, Postal Printing Press, Bhubaneswar (res.no.3) with a prayer that the benefit of revised pay scale with effect from 1.1.1996 with consequential benefit of MACP may be released in his favour in the same line as has been done in case of 57 similarly placed employees. Since as per the submission of the applicant this matter is already covered by the earlier decision of this Tribunal and a representation in this

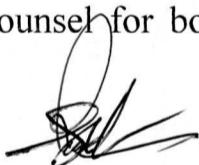


regard is pending before the concerned authorities, at this stage, without entering into the merit of the matter, I would direct respondent no.3 to examine the representation dated 12.10.2015 preferred by the applicant in accordance with the extant rules as well as the orders of this Tribunal in O.A.No.898 of 2014 and communicate a decision thereon to the applicant in a reasoned and speaking order within a period of sixty day from the date of receipt of this order. If the applicant is found to be entitled to receive the benefits as claimed by him, the same may be extended to him within a further period of ninety days from the date of communication of the decision.

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

6. On the prayer made by the learned counsel, copy of this order along with copy of paper book be sent to respondent nos. 2 and 3 at the cost of the applicant for which Mr.P.R.J.Dash undertakes to file the postal requisites by 26.11.2015.

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



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

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