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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00911 OF 2015
Cuttack, this the 22nd day of December, 2015

CORAM

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

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1. Manoj Kumar Patnaik, aged about 55 years, S/o. Late Sarat Chandra Patnaik.
2. Satya Narayan Acharya, aged about 54 years, S/o. Late Harekrishna Acharya.
3. Binod Chandra Mishra, aged about 53 years, S/o. Late Jaganath Mishra.
4. Sunita Pradhan, aged about 52 years, D/o. Sankar Pradhan.
5. Rabi Narayan Sahu, aged about 56 years, S/o. Late Basudev Sahu.
6. Brundaban Mohapatra, aged about 53 years, S/o. Late Krushnan Mohan Mohapatra.
7. Prasanta Kumar Patnaik, aged about 47 years S/o. Kasinath Patnaik.
8. R. Anand, aged about 44 years, S/o. R. Rudran.

All are at present working as Civilian Education Instructor, Grade-1 in the Education Department, INS Chilka, District-Khurda, Odisha-752037.

(By the Advocate- M/s. N.R. Routray, S. Sarkar, U.K. Bhatt, J. Pradhan, T.K. Choudhury, S.K. Mohanty)

-VERSUS-

Union of India Represented through

1. The Secretary, Ministry of Defence, South Block, New Delhi-110001.
2. Chief of the Naval Staff, Integrated Headquarters of Ministry of Defence(Navy), Sena Bhawan, New Delhi-110011.
3. Principal Director of Civil Personnel, Integrated Head Quarter, Ministry of Defence (Navy), New Delhi-110011.
4. Principal Director of Naval Education, Integrated Head Quarter, Ministry of Defence (Navy), New Delhi-110011.
5. Flag Officer, Commanding-in-chief Head Quarters, Eastern Naval Command, Naval Base, Vishakapatnam, Andhra Pradesh-530014.
6. Flag Officer, Commanding-in-Chief Head Quarters, Southern Naval Command, Naval Base, Kochi- 682004, Kerala.
7. Commanding Officer, INS Chilka, P.O.- Chilka, Dist.- Khurda-752037.

By the Advocate-Mr. B.P. Nayak

Allett

ORDER (Oral)

A. K.PATNAIK, MEMBER (J):

Heard Mr. N.R. Routray, Ld. Counsel appearing for the Applicant and Mr. B.P. Nayak, Ld. ACGSC, appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. M.A. No.939/ 2015 for joint prosecution is allowed subject to payment of Rs.50/- per applicant except applicant No.1. Accordingly, M.A. is disposed of. Cost be deposited by 28.12.2015.

3. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 with a prayer to direct the Respondents to grant benefit of proposed restructuring of cadre in respect of Civilian Education Instructors w.e.f., August, 2007 and pay the consequential financial benefits.

4. Mr. Routray, Ld. Counsel submitted that due to non-consideration of the case of the applicant for the aforesaid relief, he submitted representations dated 16.10.2015 (Annexure-A/7) series followed by reminder dated 05.11.2015 (Annexure-A/8) series before the Respondent No.1. It has further been submitted that till date no response has been received by the applicant on his representations. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

5. Since the representations submitted by the applicant are stated to be pending, at this stage, without entering into the merit of the matter, we would direct Respondent No.1 to consider the representations dated 16.10.2015 (Annexure-A/7) series followed by reminder dated 05.11.2015 (Annexure-A/8) series and dispose of the same with a reasoned and speaking order to be communicated to the applicant within a period of three months from the date of receipt of copy of this order. We hope and trust, in the event of such consideration if the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken to extend the said benefit to him preferably within a further period of six 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 representations will be kept open for the Respondents for consideration as per the extant rules, regulations and law in force.

[Signature]

6. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

7. On the prayer made by Mr. N.R. Routray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.1 & 3 by Speed Post for which Mr. Routray undertakes to file the postal requisites by 28.12.2015.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)

K.B