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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 260/00921 OF 2015
Cuttack, this the 6th day of January, 2016

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

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Chaitanya Rout, Aged about 64 years, Son of Late Dali Rout, Retired Cabin Master, under SMR, East Coast Railway, Bhadrak, Permanent resident of Vill.-Bhatia, Po-Baral Pokhari, P.S./Dist.-Bhadrak, Odisha.

.....Applicant
(Advocate: M/s. N.R. Routray, 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/P.O.- 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 with the prayer for a direction to the Respondents for payment of fixed Medical Allowance.
3. Mr. Routray, Ld. Counsel for the applicant submitted that due to non-consideration of the case of the applicant for the aforesaid relief as claimed by him, the applicant submitted representations dated 03.08.2015 (Annexure-A/3) followed by reminder dated 16.09.2015 (Annexure-A/4)

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to Respondent No.2. 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.

4. Since the representations submitted by the applicant are 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 representations dated 03.08.2015 (Annexure-A/3) followed by reminder dated 16.09.2015 (Annexure-A/4) if the same are still pending, as per the extant Rule and regulation and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 03 (three) months from the date of receipt of copy of this order. If, after such consideration it is found that the applicant is entitled to the relief 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 matter, we make it clear that all the points raised in the representations will be kept open for the Respondents to consider the same as per rules, regulations and law in force.

5. With the aforesaid observation and direction, 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 08.01.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)