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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00011 of 2016
Cuttack, this the 20th day of January, 2016

CORAM

HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

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Md. A.K.Jeelan,
aged about 59 years,
S/o Late Md. Abbu Baker,
At/PO- Tulsinagar, 9th Lane, Behampur, Ganjam-760001,
At present working as Office Assistant (OS)
O/o – Head Record Office (HRO) RMS,
BG division, Berhampur-760001.

...Applicant

(Advocates: M/s. D.K.Mohanty, S. Nayak)

VERSUS

Union of India Represented through

1. Secretary-cum-Director General of Posts,
Ministry of Communications,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi-110001.
2. Chief Postmaster General,
Odisha Circle, Bhubaneswar,
Dist- Khurda, PIN- 751001.
3. Post Master General,
Berhampur Region, Berhampur,
Ganjam-760001.
4. The Superintendent of RMS
BG Division, Behrampur,
Ganjam.
5. Heard Record Office (HRO) RMS
BG Division, Behrampur-760001.

... Respondents

(Advocate: Mr. B.P.Nayak)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. D.K.Mohanty, Ld. Counsel for the Applicant, and Mr. B.P.Nayak, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, 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 challenging the order dated 09.12.2015 (Annexure-A/6) and praying to hold that the applicant has rightly enjoyed the 2nd MACP with Grade Pay of Rs. 2800/- as per the MACP Scheme and Annexure-A/5. We find from the record that the applicant has made a representation to Respondent No.3, with copy to Respondent No.2, on 22.12.2015, which is stated to be pending and till date he has not received any response from the said Respondent No.3 for which he has filed this O.A.


3. In view of the aforesaid fact that the representation of the applicant dated 22.12.2015 is stated to be pending, without going into the merit of the matter, we dispose of this O.A. with direction to the Respondent No.3 to dispose of the said representation, if the same is still pending, and pass a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order. Though, we have not gone into the merit of the matter, all the points raised by the applicant in his representation are kept open for the Respondent No.3 to consider the same as per rules and regulations. If after such consideration the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of three months from the date of such consideration to grant the same to the applicant.

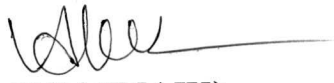
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We make it clear that no coercive action will be taken against the applicant as per Annexure-A/6 dated 09.12.2015 till 01.04.2016.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Mr. Mohanty, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 25.01.2016.


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


(A.K.PATNAIK)
MEMBER(Judl.)

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