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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

Original Application No.260/00123 of 2015  
Cuttack, this the 20<sup>th</sup> day of March, 2015

**CORAM**  
**HON'BLE MR. A.K. PATNAIK, MEMBER (J)**

.....

Padmanava Sasany,  
Aged about 63 years,  
Son of Late Banamali Sasany,  
At-53/470, Bijay Vihar, Nuagaon Road,  
PO- Sisupalgarha, Bhubaneswar-751002,  
Assistant Director Handicrafts (Retd),  
O/o the Development Commissioner, Handicrafts,  
Ministry of Textiles, Government of India,  
Marketing and Service Extension Centre, Sambalpur.

.....Applicant

Advocate(s)... M/s. J.M.Patnaik, C.Panigrahi.

**VERSUS**

Union of India represented through

1. Secretary,  
Govt. of India, Ministry of Textiles,  
Udyog Bhawan, New Delhi.
2. Development Commissioner of Handicrafts,  
Govt. of India, Ministry of Textiles,  
West Block No.7, R.K.Puram,  
New Delhi- 110066.
3. Regional Director (H),  
Govt. of India, Ministry of Textiles,  
O/o Development Commissioner (Handicrafts),  
Eastern Regional Office, CGO Complex, 3<sup>rd</sup> floor,  
A Wing, DF Block, Salt Lake, Kolkata-64.
4. Secretary to Govt. of India,  
Ministry of Planning Department of Statistics,  
Govt. of India, New Delhi.

..... Respondents

Advocate(s)..... Mr. S.Behera

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*Alka*

## ORDER (ORAL)

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

Heard Mr. J.M.Patnaik, Learned Counsel for the Applicant, and Mr. S. Behera, Ld. Sr. Central Govt. Panel 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. Applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to grant him two financial upgradation under MACP on promotional hierarchy and pay him all his arrears with 12% interest from the date it was due till actual payment is made and further to revise and pay him his retirement dues including pension. His case is that he initially joined as Investigator (Gr. C) on 07.11.1975 and subsequently selected and appointed as Handicraft Promotion Officer on 20.09.1985. He was promoted to the post of Assistant Director on 24.07.1991 and while continuing as such he retired on reaching the age of superannuation on 31.03.2011. Mr. Patnaik, Ld. Counsel for the applicant, submitted that the applicant made representation on 06.10.2010, i.e. before his retirement, vide Annexure-A/3 before Respondent No.2 for granting him two financial upgradation but till date the applicant has received no response on his representation and the same is still pending consideration.

3. Right to know the result of the representation that too at the earliest opportunity is a part of compliance of principles of natural justice. The employer is also duty bound to look to the grievance of the employee and respond to him in a suitable manner, without any delay. In the instant case, as it appears, though the applicant submitted representation ventilating his grievance on 06.10.2010, he has not received any reply or got the benefit till date. It is apt for us to place reliance on



the decision of the Hon'ble Supreme Court of India in the case of S.S.Rathore-Vrs-State of Madhya Pradesh, AIR1990 SC Page 10 / 1990 SCC (L&S) Page 50 (para 17) in which it has been held as under:

“17. .... Redressal of grievances in the hands of the departmental authorities take an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities on whom power is vested to dispose of the appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. That would discipline the system and keep the public servant away from a protracted period of litigation.”

4. In view of the above, while deprecating the action of the Respondent No.2 for the delay in disposal of the representation of the applicant, without entering into the merit of the matter, we dispose of this OA, at this admission stage with a direction to the Respondent No.2 to consider and dispose of representation of the Applicant dated 06.10.2010 as at Annexure-A/3, if at all the same has been filed and is still pending, as per the rules by a reasoned and speaking order and communicate the same to the applicant within a period of four weeks from the date of receipt of copy of this order. 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 60 days to extend the said benefit to him. If, in the meantime, the representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of a copy of this order. No costs.



5. As prayed for by Mr. Patnaik, Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent No. 2 by Speed Post at the cost of the applicant, for which he undertakes to furnish the postal requisites by 25.03.2015.

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

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