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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00238 of 2016
Cuttack, this the 29th day of April, 2016

**CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)**

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Surendra Nath Panda,
aged about 66 years,
S/o Late Dinabandhu Panda,
At- Kundi, PO- Kumudajaypur,
Via- Kuanpal, Dist- Cuttack-754204.

...Applicant

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

VERSUS

Union of India Represented through

1. Secretary-cum-Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Chief Postmaster General,
Odisha Circle, Bhubaneswar,
Dist- Khurda-751001.
3. Director of Postal Services,
Head Quarter Region,
O/o Chief Post Master General,
Bhubaneswar, Dist- Khurda-751001.
4. Superintendent of Post Offices,
Cuttack South Division,
At/PO/Dist- Cuttack- 753001.
5. Director of Accounts (Postal)
At- Mahanadi Vihar, PO- Naya Bazar,
Cuttack- 753004.

... Respondents

(Advocate: Mr. B. Swain)

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ORDER (ORAL)

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

Heard Mr. P.R.J.Dash, Ld. Counsel for the Applicant.

Mr. S.Behera, Ld. Sr. Central Govt. Panel Counsel, submitted that he has entrusted this case to Mr. B.Swain, Ld. Addl. Central Govt. Standing Counsel.

2. The applicant, who while working as PA has retired from service since 31.03.2010 on attaining the age of superannuation, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

“.....to direct the Respondents to consider the case of applicant for grant of MACP-II w.e.f. 01.09.2008 with all consequential benefits after re-fixation of pay and pension.

And any other order.....”

3. The case of the applicant as reveals from the O.A. is that he was initially appointed as Group-D on 20.01.1982 and, subsequently, by qualifying departmental examination, was recruited as T.S. Clerk (now designated as PA) on 27.11.1987. He was promoted to LSG cadre under TBOP Scheme w.e.f. 19.09.2003. His grievance is that although the Departmental of Posts issued MACP Schemes w.e.f. 01.09.2008, he was not given the benefit of MACP-II even if he had completed more than 20 years of service in the cadre of PA as on 01.09.2008. He made representation to that effect but to no avail and he retired in the meantime, i.e. on 31.03.2010, without the benefit of MACP-II. Mr. Dash, Ld. Counsel for the applicant, submitted that though the applicant ventilating his grievance made a representation to Respondent No.2 on 22.12.2015 (Annexure-A/2 series), the same is still pending consideration and till date he

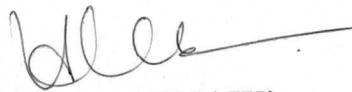
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has not received any response from the said Respondent No.2 for which he has filed this O.A.

4. 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, I dispose of this O.A. with direction to the Respondent No.2 to dispose of the said representation, if the same is still pending, and pass a reasoned and speaking order within a period of three months. Though, I 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.2 to consider the same as per rules and regulations. I make it clear that 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 to grant the said benefit to him. If in the meantime, the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.

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

6. On the prayer made by Mr. Dash, 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 he undertakes to file the postal requisites by 01.05.2016.


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