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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00145 of 2015
Cuttack, this the 10th day of April, 2015

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

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Bijaya Chandra Gouda,
aged about 63 years,
Retired PACO, residing at Qr. No. 18,
Type-II, Block-2, P&T Colony, Unit-IV,
At/PO- Bhubaneswar, Dist. Khurda.

...Applicant

(Advocates: M/s. K.B.Panda, P.K.Sahoo, P.K.Padhi)

VERSUS

Union of India Represented through

1. Secretary, Govt. of India,
Ministry of Communication,
Department of Posts, At Dak Bhawan,
Sansad Marg, New Delhi-110001.
2. Chief Postmaster General,
Orissa Circle, Bhubaneswar,
Dist-Khurda, PIN-751001.
3. Director of Postal Services,
O/o Chief Postmaster General,
Orissa Circle, Bhubaneswar,
Dist-Khurda.
4. Shiba Charan Jena,
Son of not known, aged not known,
At present working as Postal Assistant (C.O),
Postal Printing Press, O/o Chief Postmaster General,
Orissa Circle, At/PO Bhubaneswar, Dist-Khurda.
5. Director General (Posts),
Dak Bhawan, Sansad Marg,
New Delhi-110001.

... Respondents

(Advocate: Mr.B.P.Nayak)

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ORDER (ORAL)

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

Heard Mr. K.B.Panda, Learned Counsel for the Applicants, 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 applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“(i)to extend the benefits of the circular dt. 1.1.98 to the applicant w.e.f. 26.6.1993 i.e. the date from which Resp. No.4 was given the benefits of increase in the scale of pay as per the BCR scheme. Or in the alternative pass any other order.....”

3. The case of the applicants in nutshell is that he joined service as Group-D employee on 10.5.1979 and promoted as LDC on 28.12.1989. He was given the benefit of TBOP after completing 16 years of service in the year 2005. Applicant superannuated from service as Postal Assistant (C.O) on 31.5.2012. His grievance is that as per the order of this Tribunal in O.A. No. 471/2009, Respondent No.4 has been granted the benefit of BCR Scheme, however, the same has not been extended to him. Mr. Panda, Ld. Counsel for the applicant, submitted that the applicant made representation on 20.02.2014 (Annexure-A/8) followed by reminder dated 27.05.2014 (Annexure-A/10) to Respondent No.2, which was forwarded to Respondent No.1 on 18.08.2014, but he has received no response till date.

4. Taking into account the submission made by Mr. Panda, Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 2 to consider and



dispose of the representation, if the same has been filed and is still pending consideration, in a well reasoned order and communicate the same to the applicant within a period of 60 days from the date of receipt of a copy of this order. It is further made 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 60 days from the date of such consideration to extend the said benefit to him as he has already retired on attaining the age of superannuation since 31.05.2012. However, if in the meantime the said representation followed by reminder has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order

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

6. On the prayer made by Mr. Panda, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 1 and 2 by Speed Post for which he undertakes to file the postal requisites by 15.04.2015. Copy of this order be made over to Mr. B.P.Nayak, Ld. ACGSC, after filing of his power.


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

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