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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00322 OF 2016
Cuttack, this the 19th day of May, 2016

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

Sri Sugriba Pradhan,
aged about 68 years,
S/O Balaram Pradhan,
At/PO-Kadabahal, Dist- Baragarh,
Ex-Group-D, Sambalpur H.Q,
At/PO/Dist-Sambalpur.

.....Applicant

By the Advocate(s)-M/s. D.P. Dhalsamant, N.M. Rout, Arindam.

-Versus-

Union of India, represented through

1. Director General of Posts,
Govt. of India, Ministry of Communication,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi-110001.
2. Chief Post Master General,
Odisha Circle, Bhubaneswar,
Dist-Khurda, PIN-751001.
3. Director Postal Services,
O/o the PMG, Sambalpur Region,
Sambalpur-768001.
4. Superintendent of Post Offices,
Sambalpur Division,
Sambalpur, 768001.

.....Respondents

By the Advocate(s)- P.K.Mohanty

.....
all

ORDER (ORAL)
Dated 19.05.2016

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

Heard Mr. D.P.Dhalsamant, Ld. Counsel appearing for the applicant, and Mr. P.K.Mohanty, 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 with the following prayer:-

“8.1 Direction be issued to the respondents to grant minimum pension taking into account of his past services as EDDA within a stipulated period w.e.f. 09.10.2009 i.e. from the date the respondent No. 1 has implemented the order dated 18.04.2002.

8.2 That further the respondents be directed to pay interest @ 12% per annum w.e.f. 09.10.2009 i.e. date of the order of respondent No. 1 to implement the order passed in OA No. 1262/2001 of the Learned Madras Bench.

8.3 Any other orders/orders be passed to give complete relief to the applicant.”

3. The case of the applicant, who is 68 years of old, is that he had initially joined as EDDA, Kadbahal EDSO on 01.06.1969. Subsequently, he was promoted as Group-D and he joined the said post on 07.04.1999. While working as such, he retired from the service on attaining the age of superannuation on 31.05.2008. The grievance of the applicant is that although he submitted representation on 01.08.2008 (Annexure-A/5) followed by another representation dated 07.06.2012 (Annexure-A/6) before Respondent No.4 for grant of pension in view of the order dated 25.04.2012 passed by this Bench in

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O.A.No. 628/10, but nothing has been communicated to him till date and hence he has moved this Tribunal in this present O.A. Relying on the order dated 18.04.2012 passed by the Hon'ble Madras Bench of the Tribunal in O.A. No. 1264/01, which has been upheld by the Hon'ble Apex Court, Mr. Dhalsamant submitted that although similar benefit has been extended to the similarly situated persons but the applicant is being discriminated ~~against~~ ^{against}

4. 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 01.08.2008 (Annexure-A/5) followed by another representation dated 07.06.2012 (Annexure-A/6), 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.”

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In view of the above, while deprecating the action of Respondent No.4 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. 4 to consider and dispose of representation of the Applicant dated 07.06.2012 as at Annexure-A/6 by a reasoned and speaking order and communicate the same to the applicant within a period of two months from the date of receipt of copy of this order and if after such consideration it is found that the applicant is entitled to the relief claimed by him, then the same may be granted to him within a period of two months therefrom. It is made clear that if in the meantime the said representation has already considered and 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, the O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Dhalsamant, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 4 by Speed Post for which he undertakes to file the postal requisites by 23.05.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)