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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
CUTTACK BENCH, CUTTACK.

O. A. NO. 260/00331 OF 2016

IN THE MATTER OF :

An application U/s 19 of Administrative  
Tribunal Act, 1985.

IN THE MATTER OF :

Fethful Khaka, aged about 43 years, S/o. Elias  
Khaka, presently working as S.S.E. (P.WAY),  
South Eastern Railway, Rourkela.

...APPLICANT.

- VERSUS -

1. Union of India, represented through General  
Manager, South Eastern Railway, Garden  
Reach, KOLKOTA.
2. Divisional Railway Manager, South Eastern  
Railway, Chakradharpur, Jharkhand.
3. Senior Divisional Personal Officer, South  
Eastern Railway, At/P.O. Chakradharpur,  
Jharkhand.

..... RESPONDENTS.

*Handwritten signature*

*Facing G.P.  
11.5.16*

*Baran.*

*Chakhe  
Cuttack*

**ORDER (ORAL)**

**Dated 25.05.2016**

**A.K.PATNAIK, MEMBER (J):**

Heard Mr. S.K. Das, Ld. Counsel appearing for the applicant and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs:

“ (i) To direct the respondents to provide the benefits of Modified Assured Carrier Progression Scheme (MACPS) to the applicant from the date, he is eligible with all consequential financial benefits.”

3. Mr. Das, Ld. Counsel submitted that due to non- consideration of the case of the applicant for the aforesaid relief, he submitted an exhaustive representation dated 15.03.2016 (Annexure-A/3) to Respondent No.3, but till date no communication has been made to him for which he has moved this Tribunal in this present O.A. with the aforesaid prayers.

4. Since the representation submitted by the applicant is stated to be pending with Respondent No.3, without entering into the merit of this case, we dispose of this O.A at the stage of admission itself by directing Respondent No.3 to consider the representation dated 15.03.2016 (Annexure-A/3) , if the same is still pending before him, as per the extant Rules and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 02 (two) months from the date of receipt of a copy of this order. If, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same may be extended to him within a further period of 03 (three)

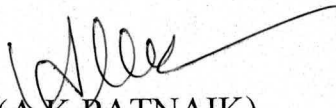


months from such consideration. However, it is made clear that if in the meantime, the said representation has already been disposed of then the result of the same be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

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. S.K. Das, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.3 by Speed Post for which he undertakes to file the postal requisites by 26.05.2016.

  
(R.C.MISRA)  
MEMBER (A)

  
(A.K.PATNAIK)  
MEMBER(J)

K.B.