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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00698 OF 2016
Cuttack, this the 21st day of October, 2016

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
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Bidyadhar Mallick, aged about 62 years, Son of Late Trilochan Mallick, presently residing at Plot No. MIG-133, Ananta Vihar, Pokhariput, P.S. Air Field, Bhubaneswar, Dist-Khurda-751020.

...Applicant

(By the Advocate-M/s. S.K. Ojha, S.K. Nayak)

-VERSUS-

Union of India Represented through

1. Secretary to Govt. of India, Ministry of Science & Technology, Technology Bhawan, New Meharauli Road, New Delhi-110016.
2. The Surveyor General of India, Surveyor General's Office, Hathibarkala Estate, Post Box No. 37, Deheradun, Uttarakhand-248001.
3. The Director, Survey of India, Survey Bhawan, Bhubaneswar-13.
4. The Director, Chhattisgarh Geo-Spatial Data Centre, Survey of India, Reena Apartment, Raipur, Chhattisgarh-492001.

...Respondents

By the Advocate- Mr. S.B. Mohanty

ORDER (Oral)

A. K.PATNAIK, MEMBER (J):

Heard Mr. S.K. Ojha, Ld. Counsel for the Applicant, and Mr. S.B. 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.

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2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 challenging communication dated 21.07.2015 in which the Respondent No2 called upon the applicant to submit the representation for upgradation/review of his ACRs for the year 2004 to 2008 from **"Good"** to **"Very Good"**. Mr. Ojha submitted that in response to the said communication dated 21.07.2015 the applicant has already submitted his representation since 12.08.2015, requesting inter alia to extend the benefit of 3rd Financial upgradation under the MACP Scheme by upgrading his ACRs for the year 2004 to 2008 from **"Good"** to **"Very Good"**. But till date no response has been received from Respondent No.2. As the representation/appeal of the applicant is stated to have been made as per communication dated 21.07.2015 and no reply has been received from Respondent No.2. , therefore, without keeping the matter pending and awaiting counter from the Respondents and without entering into the merit of this case I feel it proper to dispose of this O.A. at first instance by directing Respondent No.2 that if any such appeal/representation preferred by the applicant on 12.08.2015 against the grading of ACRs for the year 2004 to 2008 praying for upgradation of the same from **"Good"** to **"Very Good"** is still pending consideration then the same may be considered as per the extant Rules and disposed of within a period of three months from the date of receipt of this order and communicate the result thereof to the applicant by way of a reasoned/speaking order. As the applicant has already retired on attaining the age of superannuation since last one year, therefore, I hope and trust that



if, after such consideration it is found that the applicant is entitled to the relief as claimed by him, then expeditious steps may be taken to extend the said benefit to him within a further period of 03 (three) months from the date of such consideration. However, it is also 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 four weeks from the date of receipt of copy of this order.

3. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

4. On the prayer made by Mr. Ojha, 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 25.10.2016.


(A.K.PATNAIK)
MEMBER(J)

K.B.