

ORDER DATED 25th OF SEPTEMBER, 2012

M. Soren.....Applicant
Vrs.

Union of India & OthersRespondents
Coram:

**HON'BLE MR. C.R. MOHAPATRA, ADMINISTRATIVE MEMBER
&**


HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER
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Heard Sri N.R. Routray, Ld. Counsel appearing for the applicant and Sri B.B. Pattnaik, Ld. Counsel for the Respondents/Rlys. and perused the materials placed on record.

2. This Original Application has been filed by the applicant with the following prayer:-

“To direct the Respondents to grant 1st & 2nd financial upgradation under the ACP Scheme w.e.f. 01.10.1999 and pay the differential arrear salary from 01.10.1999 to 30.09.2001, Leave Salary, DCRG, Commuted Value of Pension & Pension with 12% interest by extending benefit of order passed in O.A.320/2008.”

3. This O.A. was admitted on 20.08.2012 and notice was directed to be issued to the Respondents. Counter as well as Rejoinder have been filed in this case and accordingly pleadings are complete. Due to M.A.815/2012 filed by the Ld. Counsel for the applicant this matter was taken up for hearing as it relates to grant of financial benefit to the widow of the deceased employee. The matter is already covered under orders in O.A. Nos.320/2008, 247/2010 & 825/2010 as submitted by the Ld. Counsel for the applicant.

...2/-

4. During the course of hearing Sri Routray, Ld. Counsel for the applicant prayed that the applicant's grievance can be redressed if Respondent No.2 is directed to consider the case of the applicant and grant 1st & 2nd financial upgradation under the ACP Scheme w.e.f. 01.10.1999 as per their order No.DCPO/Con/BBS/P-43/ACP/57/00752 dated 31.01.2005 (Annexure-A/4) and letter No.ECoR/Pers/Con/04/ACP dated 28.12.2004 (Annexure-A/7) within a specific time frame. He has filed a Memo today to the above effect.

5. Having heard the Ld. Counsel for the parties, we at this stage, without entering into the merit of the case and as agreed to by the Ld. Counsel for the parties, we direct Respondent No.2 to consider the case of the applicant and grant 1st & 2nd financial upgradation under the ACP Scheme w.e.f. 01.10.1999 as per their order No.DCPO/Con/BBS/P-43/ACP/57/00752 dated 31.01.2005 (Annexure-A/4) and letter No.ECoR/Pers/Con/04/ACP dated 28.12.2004 (Annexure-A/7) and pass a reasoned & speaking order within a period of 60(sixty) days from the date of receipt of copy of this order.

6. With the above observation and direction, this O.A. is disposed of. No costs.

7. Send copy of this order to Respondent No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


JUDL. MEMBER


ADMN. MEMBER