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O.A. No. 237 of 2012

Nilamani Sahoo.....Applicant

vs

Union of India & Ors.....Respondents

Order dated: 21.03.2012

CORAM:

Hon'ble Shri C.R. Mohapatra, Member (Admn.)

&

Hon'ble Shri A. K. Patnaik, Member (Judl.)

Heard Mr. N.R.Routray, Ld. Counsel for the applicant and Mr. S.K.Ojha, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served.

2. The case of the applicant is that O.A. No. 326/11, which was filed by him earlier, was disposed of with a direction to Respondent No.2 to take a decision on the representation. Ld. Counsel for the applicant submits that although representation was with regard to grant of 1st financial upgradation as well as for all consequential benefits, Respondents vide Annexure-A/3 dated 29.09.2011 only granted 1st financial upgradation under MACP. Limited prayer of the applicant, in this present O.A., is as under:

"To direct the Respondents to pay the differential arrear salary, DCRG, Leave Salary, Commuted Value of Pension and Pension with 12% interest..

And pass any other order....."

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3. Having heard Ld. Counsel for the parties and having perused the materials placed on record, we are of the view that since the applicant has already been granted 1st financial benefit under the MACP Scheme w.e.f. 01.09.2008, he is entitled to the all other consequential benefits.

4. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 2 to consider the case of the applicant for grant of all consequential benefits to the applicant and pass a reasoned order within two months from the date of receipt of a copy of this order.

5. With the above observation and direction, the O.A. stands disposed of.

6. Send copy of this order, along with copy of the O.A., to Respondent Nos. 2 and 4 by Speed Post at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the postal requisites by tomorrow, i.e 22.03.2012.

7. Free copies of this order be handed over to the Ld. Counsel for the parties.


MEMBER(Judl.)


MEMBER(Admn.)