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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A.No. 536 of 2012

Cuttack, this the 19th day of July, 2012

K.K.MishraApplicant
-Versus-
UOI and othersRespondents

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ORDER

Coram:

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

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Heard Mr.Bimbisar Dash, Learned Counsel for the Applicant and Mr.Uma Ballav Mohapatra, Learned Senior Standing Counsel appearing for the Respondents and perused the documents.

2. The Applicant is a retired Station Director of All India Radio and has filed this Original Application claiming the benefits which have been extended to one of his batch mates Shri R.Balasubramanian vide Annexure-A/20. In this connection, he has prayed for the following reliefs:

- "A) The Original Application may be allowed;
- B) The restriction imposed in Annexure-A/20 on similarly circumstanced employee may be quashed;
- C) The Respondents may be directed to promote the applicant to STS Grade on regular basis w.e.f. 31.12.1998 and clear up the differential pay in the rank of JTS from 08.08.194 to 01.01.1999 and thereafter against post of STS from 01.01.1999 to 18.12.2000 within a time to be stipulated by this Hon'ble Tribunal;
- D) The respondents may be directed to allow the applicant 12% interest on the amount flowing out from prayer 'B' from the date of entitlement till the date of payment;
- E) And such other Order(s)/Direction(s) may be issued in giving complete relief to the Applicant."

3. During hearing, Learned Counsel for the Applicant brought to my notice the letter under Annexure-A/18 dated 11th July,

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2011 in which the DG, AIR, New Delhi has taken up the case of the applicant along with other similarly situated Station Directors with the Ministry of Information and Broadcasting , New Delhi. From the letter under Annexure -A/18 (paragraph 2) it appears that the claim of the applicant is based on the verdict of Hon'ble Apex Court in SLP (Civil) No. CC 9729/2011 dated 01.06.2011 delivered in the case of R. Balasubramanian, Station Director (Retd.) CBS, AIR Chennai and Ministry's letter No. 45011/11/2011-BA (P) dated 03.06.2011.

4. In this regard, the Applicant has submitted representation dated 08-09-2011 (Annexure-A/29). It is the submission of the Learned Counsel for the Applicant that so far neither the benefit has been extended nor any reply/decision has been received by the applicant either from the DG, AIR, New Delhi or the Ministry of I&B, New Delhi.

5. Against the above back ground and with the object of expeditious relief for the applicant who has retired five years ago, it is submitted by the Learned Counsel for the Applicant that direction may be issued to the Respondent No.1 to give a decision on the reference made by the DG vide Annexure-A/18 and also to consider the pending representation at Annexure-A/19 within a stipulated period. To this, Learned SSC appearing for the Respondents has no serious objection.

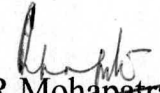
6. Accordingly, without going into the merit of the matter, this OA is disposed of at the admission stage with direction to the

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Respondent No.1 to take a view on the letter under Annexure-A/18 & representation under Annexure-A/19 keeping in mind the order of the Hon'ble Apex Court, referred to above and communicate the decision in a well reasoned order, to the Applicant, as expeditiously as possible, not later than a period of 90(ninety) days from the date of receipt of copy of this order.

7. Send copy of this order along with OA to the Respondent No.1 for compliance.


(C.R. Mohapatra)
Member (Admn.)