

ORDER DATED 23<sup>rd</sup> OF AUGUST, 2012

B. Khatua.....Applicant

Vrs.

Union of India & Others .....Respondents

Coram:

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

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**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 T. Rath, Ld. Standing Counsel for the Respondents/Rlys. on whom a copy of this O.A. has already been served and perused the materials placed on record.

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

“a. To direct the Respondents to grant full pension in terms of RBE No.222/2009 under Annexure-A/2.  
b. And direct the Respondents to pay the differential commuted value of Pension arises out of pay fixation and grant to full pension.”

3. During the course of hearing Sri Routray, Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has also filed representation dated 05.12.2011 vide Annexure-A/3 before Respondent No.2 which is still pending for consideration. Sri Routray, therefore, prayed that the applicant's grievance can be redressed if Respondent No.2 is directed to consider and dispose of the pending representation dated 05.12.2011 vide Annexure-A/3 within a specific time frame.

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4. Having heard the Ld. Counsel for the parties, we at this stage, without entering into the merit of the case, deem it proper to send the case before the competent authority to take a decision first on the representation. As agreed to by the Ld. Counsel for the parties, we direct Respondent No.2 to consider the pending representation and pass a reasoned & speaking order within a period of 60(sixty) days from the date of receipt of copy of this order.

5. In case, the competent authority finds that the claims of the applicant are admissible then the amount should be released within another 90 days.

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

7. Send copy of this order along with paper books to Respondent Nos.2, 3 & 4 (at the cost of the applicant) for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

8. Sri Routray, Ld. Counsel for the applicant undertakes to deposit the postal requisite by tomorrow i.e., on 24.08.2012.

  
JUDL. MEMBER

  
ADMN. MEMBER