

ORDER DATED 23rd OF AUGUST, 2012

P. Khatua.....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 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:-

"To direct the Respondents to grant 2nd financial upgradation under the MACP Scheme w.e.f. 01.09.2008 to PB-1 of Rs.5200-20200/- with Grade Pay of Rs.2800/- and pay the differential arrear salary, DCRG, Commuted Value of Pension, Leave Salary & Pension with 12% interest."

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 02.03.2012 vide Annexure-A/5 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 02.03.2012 vide Annexure-A/5 within a specific time frame.

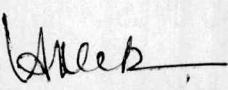
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4. Having heard the Ld. Counsel for the parties, we at this stage, without entering into the merit of the case, deem it proper to send the case before the competent authority to take a decision first on the representation. As agreed to by the Ld. Counsel 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 No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


JUDL. MEMBER


ADMN. MEMBER