

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 835 OF 2012
CUTTACK, THIS THE 20TH DAY OF NOVEMBER, 2012

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

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Pitambar Samantray,
Aged about 63 years,
S/o. Late Baistamba Smantray,
Retd. HTM/Eng./KUR,
Resident of
Vill.- Damadarpur,
P.O.- Manatira,
Dist.- Jajpur, Odisha

.....Applicant
Advocate(s) M/s. N.R.Routray, S.Mishra,
T.K.Choudhury, S.K.Mohanty.

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Union of India represented through

2. The General Manager,
East Coast Railway, E.Co.R.Sadan,
Chandrasekharpur,
Bhubaneswar, Dist.-Khurda.
2. Senior Divisional Personnel Officer/
East Coast Railway, Khurda Road Division,
At/P.O.-Jatni, Dist.-Khurda.
3. Sr. D.E.N./Co-ord., East Coast Railway,
Khurda Road Division,
At/P.O.-Jatni, Dist.-Khurda.
4. Senior Divisional Financial Manager/
East Coast Railway, Khurda Road Division,
At/P.O.-Jatni, Dist.- Khurda.
5. Asst. Engineer (A.E.N.)/,
East Coast Railway,
Jajpur Keonjhar Road,
At/P.O.-Jajpur Road, Dist.-Jajpur.

..... Respondents

Advocate(s)..... Mr. T.Rath.

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O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

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

2. From the records, it seems that the applicant has made a representation to Respondent No.2, i.e. Sr. Divisional Personnel Officer, E.Co.Railways, Khurda Road Division, Khurda vide representation dated 16.01.2012 ventilating his grievance in view of the provision made under RB No. 217/09.

3. Mr. T.Rath, Ld. Counsel for the Railways submitted that in fact Respondent No.2 is not the appropriate authority to decide the case of the applicant and it is for the Respondent No. 3, i.e. Sr. D.E.N., Co-ordination, East Coast Railways, Khurda Road Division, Khurda to decide the case of the applicant.

4. Taking into consideration the submissions made by Mr. Rath, Ld. Standing Counsel for the Railways, and as agreed to by Mr. Routray, Ld. Counsel for the applicant, without entering into the merit of this case, I dispose of this O.A. with direction to Respondent No.2 to consider the representation dated 16.01.2012 pending before him, if not yet disposed of. If Respondent No.3 is the appropriate authority to consider the representation, he may also consider the representation. After consideration, a reasoned and speaking order be passed within two months from the date of receipt of a copy of this order. If the applicant is found to be entitled to the dues, the same may be granted to him in another three months.

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5. As prayed for by Mr. Routray, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent Nos. 2, 3, 4 and 5 at his cost.

6. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.

A.K. Patnaik
(A.K. PATNAIK)
MEMBER(JUDL.)

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