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# CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK

**ORIGINAL APPLICATION NO. 34 OF 2013**  
CUTTACK, THIS THE 30<sup>th</sup> DAY OF JANUARY, 2013

**CORAM**  
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)  
HON'BLE MR. R.C. MISRA, MEMBER (ADMN.)

.....

Baban,  
Aged about 65 years,  
S/o. Late Narayan,  
Retd. Khalasi Helper/Engineering/Khurda  
Permanent resident of  
Vill.- Balipur, P.O. Bondalo,  
P.S.- Bhandaripokhari,  
Dist.- Bhadrak, Odisha

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

## VERSUS

Union of India represented through

1. The General Manager,  
East Coast Railway, E.Co.R.Sadan,  
Chandrasekharpur, Bhubaneswar, Dist.-Khurda.
2. Sr. Divisional Personnel Officer,  
East Coast Railway, Khurda Road Division,  
At/PO-Jatni, Dist-Khurda.
3. Sr. D.E.N./Co-ordn./  
East Coast Railway/  
Khurda Road Division,  
At/PO-Jatni, Dist-Khurda.

..... Respondents

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

## 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 on behalf of the  
Railways, on whom a copy of this O.A. has already been served.

*R*

*Verdict*

2. This O.A. has been filed by the applicant for direction to the Respondents to pay the differential financial benefits arising out of the 1<sup>st</sup> financial upgradation under MACP Scheme w.e.f. 01.01.2006, which has not been extended to him. In this regard, the applicant has relied on RBE No. 160/08 and 222/09 as well as order dated 20.02.2011.

3. Mr. Routray, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant has already made a representation on 06.08.2012 to the Sr. Divisional Personnel Officer, East Coast Railway, Khurda Road Division (Respondent No.2) against which he has not received any response. Mr. Routray submitted that he will be satisfied if a direction is issued to Respondent No.2 to consider the said representation within a specific time frame.

4. In view of the above, without entering into the merit of this case, we dispose of this O.A. at the stage of admission itself with direction to Respondent No.2, i.e. Sr. Divisional Personnel Officer, East Coast Railway, Khurda Road Division, to consider and dispose of the representation made by the applicant on 06.08.2012 (if it has not yet been disposed of) by way of reasoned and speaking order within a period of two months from the date of receipt of copy of this order and communicate the result thereof to the applicant. After consideration of the said representation, if the applicant is found to be entitled to the benefits as claimed by him then the said benefit may be extended to him within a further period of three months from the date of such consideration.

5. As prayed for by Mr. Routray, Ld. Counsel for the applicant, copy of this order along with paper book be transmitted to Respondent Nos.



2 and 3 at the cost of the applicant for which he will file postal requisites within 3 days.

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



(R.C.MISRA)  
MEMBER(ADMN.)



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

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