

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A. No.35 OF 2013

Cuttack, this the 30th 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, retired Khalasi Helper/ Engineering/Khurda, permanent resident of Vill.-Balipur, P.O.-Bondalo, P.S.-Bhandaripokhari, Dist-Bhadrak, Odisha.

.....Applicant

(By 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,
Chandrasekharapur,
Bhubaneswar,
Dist-Khurda.
2. Sr. Divisional Personnel Officer,
East Coast Railway,
Khurda Road Divgision,
At/P.O.-Jatni,
Dist-Khurda.
3. Sr. D.E.N/
Co-ord/ East Coast Railway,
Khurda Road Divgision,
Khurda.

..... Respondents

(By Advocate: Mr. T. Rath)

ORDER (Oral)

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

Heard Mr. N.R. Routray, Learned Counsel for the Applicant and Mr. T. Rath, Learned Standing Counsel appearing for the Respondents/Railways on whom a copy of this O.A has been served and perused the materials placed on record.

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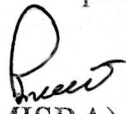
2. The applicant has filed this Original Application with prayer to direct the Respondents to revise the pay of the applicant in PB-1 Rs.5200-20200/- with GP-Rs.1800/- w.e.f. 01.01.2006 and pay the differential arrear salary for the period from 01.01.2006 to 31.01.2008 with 12% interest for the delayed period.

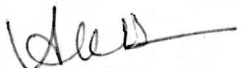
3. During the course of hearing Mr. Routray, Ld. Counsel for the applicant submits that ventilating his grievance, the applicant has already filed representation dated 06.08.2012 vide Annexure-A/3 to the Sr. Divisional Personnel Officer, East Coast Railway, Khurda Road Division (Respondent No.2) which is still pending 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 06.08.2012 vide Annexure-A/3 within a specific time frame.

4. Mr. Rath, Ld. Standing Counsel for the Railways submitted that as the applicant was working under Engineering Division he has to make Sr. D.E.N/Co-ord/ East Coast Railway, Khurda Road Division as Respondent No.3. Mr. Routray, Ld. Counsel for the applicant prays to array Sr. D.E.N/Co-ord/ East Coast Railway, Khurda Road Division Respondent No.3. The prayer is allowed.

5. Accordingly, at this stage, without entering into the merit of the case and as agreed to by the Ld. Counsel for the parties, we direct Respondent No.2 to consider the pending representation dated 06.08.2012 vide Annexure-A/3 if it has not yet been disposed of and pass a reasoned & speaking order within a period of two months from the date of receipt of copy of this order. However, after the Sr. D.E.N/Co-ord/ East Coast Railway, Khurda Road Division is impleaded as Respondent No.3 to the O.A, if any such representation is made to Respondent No.3 within a period of 10 days from today Respondent No.3 is directed to consider the same and communicate the result thereof by way of a reasoned and speaking order within a period of two months from the date of receipt of such representation. Further, Respondent Nos.2 & 3 are also directed if the applicant is found to be eligible to receive the benefits as claimed by him, the same shall be extended to him within a further period of two months.

6. With the above observation and direction, this O.A. stands disposed of at the admission stage itself.
7. Send copy of this order along with paper books to Respondent Nos.2 & 3 (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 Rout, Ld. Counsel for the applicant undertakes to deposit the postal requisite within three days.


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


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

K.B.