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CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK

O.A. No.409 of 2013

Cuttack, this the 22nd day of July, 2013

CORAM

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

Biranchi Kumar Patnaik, aged about 59 years, Son of Late Chakradhar Patnaik Village-Badhipatna, Po.Narendrapur, PS-Raj Ranpur, Dist. Nayagarh at present EB 118, Badagada BRIT Colony, Bhubaneswar, PS. Badagada, Dist. Khurda.

....Applicant

(Advocate(s))-M/s. S. Patanaik, M.K. Balabantray, A. Baral, M. Mohanty)

-Versus-

1. Indian Red Cross Society, Odisha State Branch, Bhubaneswar, Dist. Khurda represented through its Honorary Secretary at Red Cross Bhawan, Sachivalaya Marg, PS Kharvel Nagar, Bhubaneswar, Dist. Khurda.
2. President, Indian Red Cross Society, Odisha State Branch, Bhubaneswar, Raj Bhavan, Bhubaneswar, Dist. Khurda.
3. Chairman, Indian Red Cross Society, Odisha State Branch, Red Cross Bhawan Sachivalaya Marg, PS. Kharvel Nagar, Bhubaneswar, Dist. Khurda.
4. Union of India represented through its Secretary, Ministry of Health, New Delhi.

....Respondents

(Advocate(s)-Mr.G.Singh)

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A.K. PATNAIK, MEMBER (J):

Having heard Mr.S.Patnaik, Learned Counsel appearing for the Applicant and Mr.G.Singh, Learned Additional CGSC (on whom copy of this OA has been served) appearing for the Respondents perused the materials placed on record.

2. We find that ventilating the grievance, the Applicant submitted series of representations; one after the other (i.e. on 16.12.2011, 18.4.2012, 23.5.2012 and 17.8.2012) and it is alleged that till date he has neither been paid his dues nor has he received any reply thereon.

3. Mr.G.Singh, Learned additional CGSC appearing for the Respondents did not have immediate instruction about the fate of the said representations. Time without number, the Hon'ble Apex Court have deprecated the delay in giving consideration and communicate the reply to an employee on his/her representation.

4. Be it as it may as the grievance of applicant relates to payment of his arrear salary w.e.f. 1.1.2011 to 15.8.2011 and as the representations are stated to be still pending we do not find any justification to keep this matter pending and as such this OA is disposed of at this admission stage, of course without expressing any opinion on the merit of the matter, with direction to the Respondent No.1 to consider and dispose of the representations of the applicant

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(if it is still pending) and communicate the decision, in a well-reasoned order to the Applicant at an early date preferably within a period of 60 days from the date of receipt of copy of this order.

5. It is made clear that on consideration of the representation if it is found that the applicant is entitled to the benefits claimed in the representation, as per Rules then the same should be paid/disbursed to the applicant in all respect within a period of thirty days from the date of the order.

6. In case representation, referred to above, has already been disposed of but the result has not been intimated to the applicant then the result should be intimated to the applicant in a well-reasoned order within a period of two weeks from the date of receipt of this order.

7. As prayed for by Mr.S.Patnaik, Learned Counsel appearing for the Applicant copy of this order along with OA be sent by speed post to Respondent No.1, at the cost of the applicant for which Mr.Patnaik undertakes to furnish the required postages by 25th

July
2013.


(R.C.Misra)
Member(Admn.)


(A.K.Patnaik)
Member (Judl.)