

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. NO. 426 OF 2013

Cuttack the 16th day of April, 2014

CORAM

**HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER
HON'BLE MR. R.C.MISRA, ADMINISTRATIVE MEMBER**

Asif Mohammed,
aged about 30 years,
Son of Md. Habibulla, VRVRRS,
PO Box No- 48, Hazaribag,
Jharkhand, Pin- 825301.

...Applicant
(Advocates: M/s- P. Pattnaik, A. Mishra, S. Soren)

VERSUS

Union of India Represented through

1. Secretary, (ICAR)
Krishi Bhawan,
New Delhi-110001.
2. Director,
Central Rice Research Institute,
Cuttack, Odisha-753006.
3. Zonal Project Director,
Central Rainfed Upland Rice Research,
Zone-II, Bhumi Vihar Complex,
Salt Lake City, Sector-III,
Block-GB, Kolkata-700097.

... Respondents

(Advocate: Mr. S.B. Jena)



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ORDER (ORAL)A.K.PATNAIK, MEMBER (JUDL.):

Copy of this OA has been served on Mr. S.B.Jena, Ld. Counsel appearing for the Respondents-ICAR, who accepts notice for all the Respondents in this OA. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission. Heard Mr. A.Mishra, Learned Counsel for the Applicant, and Mr. S.B.Jena, Ld. Counsel appearing for the Respondents-ICAR, and perused the materials placed on record.

2. The Applicant, who has been appointed vide office order dated 27.10.2006 to the post of Computer Assistant, in the scale of pay of Rs. 4500-125-7000/- and at present working as such, has filed this instant O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents, particularly Respondent No.2, to rectify the pay anomalies and pay him the same pay band as paid to other similarly circumstanced employees of other Krishi Vigyan Kendras in the State and in India. He has further prayed to pay the arrears of his pay with interest after fixing the pay of the applicant in the pay scale of 5500-9000 from the date of his appointment till revision of pay scale by 6th Pay Commission and in the scale of 9300-34800 after the revision of pay in 6th Pay Commission till date and regularize the same. Mr. Mishra, Ld. Counsel for the applicant submitted that ventilating his grievance the applicant made representation on 14.12.2006 vide Annexure-A/5 before Respondent No.2. His representation has also been duly forwarded to Respondent No.3 vide Annexuer-A/13 and to Respondent No. 2 vide Annexures-A/14 and A/16. However, till date he has not received any communication from the said Respondent Nos. 2 and 3.



3. On the other hand, Mr. S.B.Jena, Ld. Counsel appearing for the Respondents-ICAR, has no immediate instruction if any such representation has been preferred by the applicant addressed to Respondent Nos. 2 and 3 and the status thereof.

4. Since it is the positive case of the applicant that the representation preferred by him is still pending, without entering into the merit of this case, we dispose of this O.A. at the stage of admission itself by directing Respondent Nos. 2 and 3 to consider the representation as forwarded to Respondent No.3 vide Annexuer-A/13 and to Respondent No. 2 vide Annexures-A/14 and A/16, if the same is still pending, and dispose of the same by way of a well reasoned order and communicate the result thereof to the applicant within a period of 60 days from the date of receipt of copy of this order. If after such consideration the applicant is found to be eligible/ entitled to certain benefits then expeditious steps be taken within a further period of two months thereafter to pay the said amount to the we applicant. However, ~~not~~ make it clear that if in the meantime said representation has already been disposed of then the result thereof be communicated to the applicant within two weeks from the date of receipt of copy of this order. No costs.

5. Copy of this order be transmitted to Respondent Nos. 2 and 3 by Speed Post at the cost of the applicant, for which Mr. Mishra, Ld. Counsel for the applicant, undertakes to file the postal requisites by 21.04.2014.


(R.C.MISRA)
MEMBER(Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)