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CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK

O. A. No. 529 OF 2013
Cuttack, this the 7th day of August, 2013

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

.....
Bhaskar Sahu,
aged about 59 years,
S/o Late Choudhury Sahu,
At- Bada Adua Sahi, PO.- Durbandh,
Dist- Ganjam (Odisha).
At present working as Caneman,
O/o the Garrison Engineer (I), R&D,
At/PO-Chandipur, Dist- Balasore,
(Odisha)

...Applicant
(Advocate(s) : M/s. B.S.Tripathy, M.K.Rath, J. Pati, Mrs. M. Bhagat)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Defence,
South Block,
New Delhi-110011.
2. Engineer-in-Chief Branch,
Army Headquarters, MES,
Kashmir House, Rajaji Marg,
DHQ PO, New Delhi.
3. Chief Engineer,
Eastern Command,
H.Q, Fort William,
Kolkata-21.
4. Chief Engineer, (R&D) H.Q,
Probyn Road,
New Delhi-54.
5. Garrison Eginer (), R&D Chandipur,
PO- Chandipur,
Dist- Balasore- 756025.

... Respondents
(Advocate: Mr. M.K.Das)

ORDER

MR. R.C.MISRA, MEMBER (ADMN.):

Heard Mrs. M. Bhagat, Ld. Counsel for the applicant.

2. The applicant is a blind person, who was appointed as Cane Weaver in the Military Engineering Service on 23.02.1988 in the pay scale

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of Rs. 800-1150/- . It is the case of the applicant that the category of Caneman in the Military Engineering Service was treated as Un-skilled whereas in other department of the Govt. of India like Railways, the Caneman was treated as Skilled category with effect from 1982 and have been granted the pay scale of Rs. 950-1500/- . It has further been submitted by the Ld. Counsel for the applicant that some of the Caneman working in the different offices of Military Engineering Service had approached this Tribunal in the Principal Bench in O.A. No. 804/98 and the Principal Bench directed the Respondents to review the matter and provide opportunities at par with the same provided to the Caneman working in the Indian Railways. This order of the Principal Bench has also been confirmed by the decision of the Hon'ble High Court of Delhi as well as the Hon'ble Apex Court. Ld. Counsel for the applicant, therefore, has pleaded that since the applicant is on the similar footing he should also been extended the same benefits.

3. It is seen that the applicant has made a representation in this regard on 26.10.2012 to the Garrison Engineer (I), R & D, Chandipur (Respondent No.5) making a prayer for conferring the same benefits. He has also sent reminder vide representation dated 01.01.2013 (Anenxure-A/6). It is submitted by the Ld. Counsel for the applicant that these representations have so far not been looked into by Respondent No.5.

4. Heard Mr. M.K.Das, Ld. Counsel representing the Respondents. He has no immediate instruction about the present status of the representations. However, since I find that the representations are said to be still pending, without going into the merits of the matter, I direct Respondent No. 5 to look into the grievance of the applicant as contended in the representations mentioned above and pass a reasoned and speaking order in


P. N. Singh

accordance with the extant rules and instruction as well as the various judgment of the Courts which have been cited by the Ld. Counsel for the applicant and communicate the decision to the applicant within a period of two months of the receipt of this order.

5. Copy of this order, along with paper book, be sent to Respondent No. 5 for immediate compliance, for which postal requisite will be filed by the Ld. Counsel for the applicant by 08.08.2013. Free copies of this order be also supplied to the Ld. Counsel for both the parties.
6. With the aforesaid observation and direction, the O.A. stands disposed of at the stage of admission.



MEMBER (Admn.)

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