

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 543 OF 2013
CUTTACK, THIS THE 13th DAY OF AUGUST, 2013

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

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Jagannath Parida,
Aged about 60 years,
S/o Late Banchanidhi Parida,
Vill- Balisahi,
PO/PS- Konark,
Dist- Puri.
Retd. Asst., Office of the Deputy Director General,
NSSO (National Sample Survey Organization)
(Field Operation Division),
Bhubaneswar.

.....Applicant

Advocate(s) M/s. D. Lenka, S. Mohanty, S. Das.

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Union of India represented through

- 1 The Secretary,
Ministry of Statistics & Programme Implementation,
Govt. of India, 418-Sardar Patel Bhawan,
Sansad Marg,
New Delhi-110001.
2. Deputy Director, General (Administration)
National Sample Survey Organization (FOD),
East Block-6, Level- 4-7,
R.K.Puram,
New Delhi-110066.
3. Director & Head of office,
NSS Organization (FOD),
Regional Office, Orissa (W),
Sen Park Lane, Gate Bazar,
Sambalpur-768001.
4. Deputy Director General,
NSS Organization (FOD),
Commercial Complex-1st Floor,
Acharya Vihar,
Bhubaneswar-751013,
Dist- Khurda.

..... Respondents

Advocate(s)..... Mr. B.K.Mohapatra.

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OR D E R (ORAL)

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

Heard Mr. D.N.Lenka, Ld. Counsel for the applicant, and Mr. B.K.Mohapatra, Ld. Addl. Central Govt. Standing Counsel appearing on behalf of the Respondents, on whom a copy of this O.A. has already been served.

2. Mr. Lenka, Ld. Counsel for the applicant, submitted that the applicant by filing this instant O.A. under Section 19 of the Administrative Tribunals Act, 1985, has challenged the order No. A-12016/1/2010-DRW/2737-37 dated 20.10.2011, wherein and whereunder by re-fixation his pay has been reduced from Rs. 10,960/- to 10,560/- without any cogent or valid reason. He further submits that the differential amount after re-fixation comes to Rs. 400/- per month and, therefore, such action of the Respondents is thoroughly misconceived and contrary to the order passed by the Department of Personnel and Training and as such honest in the eyes of law. By drawing our attention to the representation made by the applicant addressed to the Dy. Director, General (Administration), NSSO (FOD), Respondent No.2, Mr. Lenka submitted that ventilating his grievance the applicant has made this representation on 02.07.2012 which has been duly forwarded for consideration but till date no response has been received from Respondent No.2.

3. Mr. B.K.Mohapatra, Ld. ACGSC, has no immediate instruction regarding the fate of the said representation.

4. In view of the above, without going into the merit of this O.A., we dispose of this O.A. at the stage of admission itself by directing Respondent No.2 to consider the said representation made by the applicant,

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if any such representation has been made by the applicant and the same is still pending, and dispose of the same by way of reasoned and speaking order and communicate the result thereof to the applicant within 60 days from the date of receipt of copy of this order. If, after such consideration, the applicant is found to be entitled for certain dues/if any recovery has been made inadvertently then the same may be refunded to the applicant and his pay be re-fixed as per his entitlement. We also make it clear that if the representation has been disposed of in the meantime then the result thereof be communicated to the applicant within two week's time from the date of receipt of copy of this order

5. Copy of this order, along with paper book, be transmitted to Respondent Nos. 1, 2 and 3 at the cost of the applicant, for which Mr. Lenka, Ld. Counsel for the applicant, undertakes to file the postal requisites by 19.08.2013.


MEMBER (Admn.)


MEMBER (Judl.)

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