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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 570 OF 2013

Cuttack, this the 21st day of August, 2013

CORAM

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

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Dulari,
aged about 64 years,
D/O. Late Rupai, Retired Khalasi Helper/
Engineering/Con./E.Co.Rly./JJKR,
Permanent resident of At-Sasan Purusottampur,
P.O./Via-Dhanamandal,
P.S.-Badachana, Dist-Jajpur, Odisha.

.....Applicant

Advocate(s) M/s. N.R. Routray, T.K. Choudhury, S.K. Mohanty, Ms. J. Pradhan.

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway,
E.Co.R Sadan, Chandrasekharapur,
Bhubaneswar, Dist-Khurda.
2. Senior Personnel Officer,
Con./Co-ordn,
East Coast Railway,
Rail Vihar, Chandrasekharapur,
Bhubaneswar, Dist-Khurda
3. Dy. Chief Engineer/Con.,
E.Co. Railway,
Jajpur Keonjhar Road,
At./P.O.-Jajpur Road,
Dist-Jajpur.

..... Respondents

Advocate(s)..... Mr. T. Rath

O R D E R (ORAL)

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

Heard Mr. N.R.Routray, Ld. Counsel for the applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Railways, on whom a copy of this O.A. has already been served.

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2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act 1985 for a direction to Respondents to grant her first and second financial upgradation under the MACP Scheme and pay the consequential financial benefits. Mr. Routray, Ld. Counsel for the applicant, submitted that the applicant has been conferred with temporary status w.e.f. 01.04.1984 and, subsequently, brought over to the regular establishment w.e.f. 31.05.1994 and while continuing as such she has retired on 31.03.2010 on attaining the age of superannuation. Mr. Routray further submitted that at the time of retirement the applicant was working as Khalasi Helper in PB-I of Rs. 5200-20200/- with Grade Pay of Rs. 1800/- and from the PPO, which has been annexed as Annexure-A/1 of this O.A, it is crystal clear that applicant has a total qualifying service of 21 years to his credit, however, the applicant did not get any financial upgradation, i.e. first as well as second financial upgradation under MACP, and no consequential financial benefits has been extended to the applicant. Mr. Routray, by drawing our attention to the representation dated 04.02.2013 made by the applicant addressed to Sr. Personnel Officer/Con./Co-ordination (Respondent No.2) under Annexure-A/4, has submitted that the grievance of the applicant can be more or less redressed if any specific time can be stipulated to consider this representation by Respondent No.2.

3. Mr. T.Rath, Ld. Standing Counsel for the Railways, on the other hand, has no immediate instruction if any such representation has been made by the applicant on 04.02.2013 and the status thereof, which has been stated to be pending before Respondent No.2.

[Signature]

4. Having heard Ld. Counsel for the parties, without entering into the merits of this case, we dispose of this O.A. at the stage of admission itself by directing Respondent No.2, i.e. Senior Personnel Officer/Con./Co-ordination, E.Co.Railways, to consider the representation, if made by the applicant on 04.02.2013 and if it is still pending, and communicate the result thereof to the applicant by way of a reasoned and speaking order within 60 days from the date of receipt of this order. Upon such consideration if the applicant is found to be entitled to certain financial benefits as claimed by her then the same may be extended to her within a further period of 90 days from the date of such consideration.


5. We also make it clear that if the said representation has already been disposed of, in the meantime, then the result of the same be communicated to the applicant within two weeks from the date of receipt of this order.

6. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.

7. As prayed for by Mr. Routray, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent Nos. 2 and 3 at the cost of the applicant. He undertakes to file the postal requisites by 23.08.2013.


MEMBER (Admn.)

RK


MEMBER (Judl.)