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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO.677 of 2013
Cuttack this the 10th day of December, 2013

CORAM
HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

Fakira
Aged about 68 years
S/o. late Sania
Retired Gangman
O/o. P.Way/East Coast Railway/Jajpur Keonjhar Road
Permanent Resident of Vill-Arimul
PO/Via-Jenaur
Dist-Jajpur
Odisha

...Applicant

By the Advocate(s)-M/s.N.R.Routray
Smt.J.Pradhan
T.K.Choudhury
S.K.Mohanty

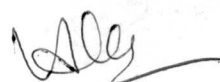
-VERSUS-

Union of India represented through

1. The General Manatger
East Coast Railway
E.Co.R.Sadan
Chandrasekharpur
Bhubaneswar
Dist-Khurda
2. The Senior Divisional Personnel Officer/East Coast Railway
Khurda Road Division
At/PO-Jatni, Dist-Khurda
3. The Senior DEN/Co.Ordn.East Coast Railway
Khurda Road Division
At/PO-Jatni
Dist-Khurda
4. The Senior Divisional Financial Manager
E.Co.Rly
Khurda Road Division
At/PO-Jatni
Dist-Khurda

...Respondents

By the Advocate(s)-Mr.T.Rath



ORDER**HON'BLE SHRI A.K.PATNAIK, MEMBER(J)**

Heard Shri N.R.Routray, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel, on whom a copy of this O.A. has been served, appearing on behalf of the Respondent-Railways.

2. This O.A. has been filed under Section 19 of the A.T. Act, 1985, with prayer for direction to be issued to Respondents to grant 1st and 2nd financial upgradation under ACP Scheme with effect from 01.10.1999 and 01.12.2000 in scale of Rs.2650-4000/- and Rs.3050-4590/- according to his cadre of promotion and payment of consequential benefits thereon.

3. By drawing my attention to the PPO issued in favour of the applicant Shri Routray submitted that the applicant was in receipt of scale of Rs.2550-3200 at the time of his retirement, and the total qualifying service rendered by him being 28 years 7 months and 7 days, he is entitled to 1st and 2nd financial upgradation under the ACP Scheme. Shri Routray submitted that the applicant has put forth a representation dated 2.3.2013 ventilating his grievance before the Senior DEN/Coordination(Res.No.3) with a copy to the Senior Divisional Personnel Officer (Res.No.2) and having received no response has approached this Tribunal for redressal of his grievance.

4. Having heard the learned counsel for both the sides, without going into the merit of the matter, I direct Respondent Nos. 2 and 3 that if any such representations preferred by the applicant as aforesaid are still pending with them, the same shall be considered and disposed of through a reasoned and speaking order and decision thereon communicated to the



applicant within a period of sixty days from the date of receipt of this order.

It is however, made clear that if the applicant is found to be entitled to financial benefits under the ACP scheme, expeditious steps be taken to dispose of the same within a further period of 90 days from the date of receipt of this order. However, if the said representation which is stated to be filed on 2.3.2013 has in the meantime been disposed of, the decision thereon shall be communicated to the applicant within a period of two weeks from the date of receipt of this order.

5. With the above observation and direction, this O.A. is disposed of. No costs.

6. Send copy of this order to Res.Nos. 2 and 3 by Speed Post at the cost of the applicant, for which Shri Routray undertakes to deposit the postal requisites by 12.12.2013. Free copy of this order be also made over to the learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER(J)