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S.Sahu-Vrs-NALCO

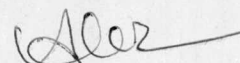
ADMISSION Sl.No.2
OA No. 780/13

Order dated – 3rd January, 2-14.

CORAM
THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDL.)
THE HON'BLE MR.R.C.MISRA, MEMBER (ADMN.)
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Heard Mr.P.K.Mishra, Learned Counsel appearing for the Applicant and Ms.S.Mohapatra, Learned panel counsel for NALCO/Respondents and perused the records. Registry is directed to serve notice, for onward transmission, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987.

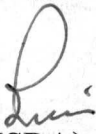
In this OA, the applicant (Suphala Sahu) has sought to quash the letter dated 04.05.2013 and to direct the Respondents to pay the arrear differential monthly financial assistance for the period from 2008 to April, 2012. On perusal of records, we find that the letter dated 4.5.2013 which is sought to be quashed in this OA has been addressed by the Assistant General Manager (HRD), NALCO to one Shri Rabindra Prasad Patnaik, Advocate, Amalapada 6th Lane, Angul, Odisha with reference to his letter dated 11.04.2013. But Shri Rabindra Prasad Patnaik is not one of the Applicants in this OA. Therefore, on being pointed out as to how in view of the specific provision of the A.T. Act, 1985 this OA is maintainable, Mr.Mishra, Learned Counsel for the Applicant has prayed for leave of this Tribunal to withdraw this OA so as to make an

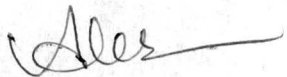


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exhaustive representation ventilating his grievance to Respondent No.1 and Respondent No.1 be directed to consider and dispose of the said representation within a stipulated period. We feel that nobody is prejudiced if such prayer of the applicant is allowed at this stage. Hence while disposing of this OA as withdrawn, we direct the Respondent No.1 that in case the applicant makes a representation pertaining to the present cause of action, within a period of two weeks from today, he should consider the same and communicate the result thereof to the applicant in a well reasoned order within a period of two months from the date of receipt of such representation. There shall be no order as to costs.

On the prayer of Mr.Mishra, copy of this order be sent to Respondent No.1, by speed post, at his cost, for which he undertakes to furnish the postal requisite in course of the day.


(R.C.MISRA)
Member (Admn.)


(A.K.PATNAIK)
Member (Judicial)